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Intercollegiate Association  
of Amateur Athletes...

Second day's proceedings  
of conference called...

[New York]

[1915]

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THURSDAY, DECEMBER 30, 1915

SECOND DAY'S  
PROCEEDINGS OF CONFERENCE

CALLED BY THE

I. C. A. A. A.

RELATIVE TO

ELIGIBILITY FOR COMPETITION  
AS AN AMATEUR

HELD AT

HOTEL ASTOR, CITY OF NEW YORK

REPORTED BY

CLARENCE BONYNGE, LAW STENOGRAPHER,  
EQUITABLE BUILDING, NEW YORK

THURSDAY, DECEMBER 30, 1915

SECOND DAY'S  
PROCEEDINGS OF CONFERENCE

CALLED BY THE I. C. A. A. A. RELATIVE TO ELIGIBILITY  
FOR COMPETITION AS AN AMATEUR

Held at Hotel Astor, City of New York

PRESENT:

MR. GUSTAVUS T. KIRBY, Intercollegiate Association of Amateur Athletes of America <i>Chairman</i>	
National Lawn Tennis Association.....	J. S. MERRICK, President
Amateur Fencers' League of America.....	DR. GRAEME M. HAMMOND, President W. SCOTT O'CONNOR, Secretary
U. S. Revolver Association.....	DR. REGINALD SAYRE
The National Association of Amateur Billiard Players.....	GEORGE T. MOON, JR.
Playground and Recreation Association of America.....	DR. J. H. MCCURDY
Boy Scouts of America.....	WILLIAM A. PERRY, Chief Scout Executive
The National Collegiate Athletic Association .....	WILLIAM F. GARCELON DR. J. E. RAYCROFT
The Athletic Research Society.....	DR. J. E. RAYCROFT
The Intercollegiate Basketball League.....	DR. J. E. RAYCROFT
United States Football Association.....	E. L. MOCKLER THOMAS W. CAHILL
Amateur Athletic Union of Canada.....	NORTON H. CROW, of Toronto
Amateur Athletic Union of the United States.....	HON. BARTOW S. WEEKS GEORGE J. TURNER, President FREDERICK W. RUBEN, Secretary-Treasurer
Athletic League of the Y. M. C. A.....	DR. FISHER
New England Intercollegiate Association.....	DR. PHILLIPS
The North American Gymnastic Union.....	MR. EMANUEL L. HOWE MR. GEORGE H. SICKEL
Southern Intercollegiate Conference.....	WALDO ADLER
Intercollegiate Association of Amateur Athletes of America .....	WALTER P. PFEIFFER, President DONELSON M. LAKE, Treasurer W. FRANKLIN STROUD, JR., Acting Secretary GUSTAVUS T. KIRBY THORNTON GERRISH ROMEY BERRY CASPAR W. B. TOWNSEND FREDERIC P. CLEMENT, JR. ARTHUR H. BUNKER PAUL F. SANBORN
Military Athletic League.....	MAJOR COOK
National Cycling Association.....	R. F. KELSEY
The Federation of American Motorcyclists.....	MR. BETTS

In addition to the delegates present, there were several others of prominence in the athletic world,  
including Mr. EVERT JANSEN WENDELL, MR. CHARLES HALSTED MAPES  
and DR. RANDOLPH MANNING.

## SUGGESTIONS AS TO ELIGIBILITY

FOR

### AMATEUR COMPETITION

As submitted by the Intercollegiate Association of Amateur Athletes of America which were considered at the Conference on Monday, December 27, 1915, at 4 o'clock P. M. at the Hotel Astor, New York City.

Not as definite conclusions, but merely as suggestions, the I. C. A. A. A. A., through its executive and advisory committees, submits to the governing bodies of amateur sport for their consideration, prior to the conference to be held on Monday, December 27, at 4 o'clock in the afternoon at the Hotel Astor and at which conference the "amateur" and other questions of vital importance to athletic competitions will be discussed, the following:

#### AN AMATEUR

An amateur sportsman is one who engages in sport solely for the pleasure and physical benefits he derives therefrom and to whom sport is nothing more than an avocation.

#### ACTS OF DISBARMENT

A person shall cease to be an amateur by committing any of the following acts:

##### Fraud

A—By competing or giving an exhibition in any athletic sport under an assumed name, or by being guilty of any fraud or other grossly unsportsmanlike conduct in connection therewith.

##### Competing for Money

B—By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for participating in any public athletic competition or exhibition.

##### Coaching for Money

C—By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for instructing or preparing any person in or for any athletic competition, exhibition or exercise.

### Capitalization of Athletic Fame

D—By granting or permitting the use of one's name to advertise or promote the sale of, or to act as the personal solicitor for the sale, or as the actual salesman of, sporting goods, prizes, trophies or other commodities for use chiefly in or in connection with athletic games or exhibitions; or

By engaging for pay or financial benefit in any occupation or business transaction wherein his usefulness or value arises chiefly from the publicity given or to be given to the reputation or fame which he has secured from his athletic performances, rather than from his ability to perform the usual and natural acts and duties incident to such occupation or transaction.

### Associating With Professionals

E—By having played in any public competition or exhibition upon a team on which there were professionals, but who himself had not been paid to play or coach, or who in any manner, except by reason of such associating, has not had his amateur status affected; or

Without having first obtained the consent of the organization governing such sport, by having participated therein in any individual public competition or exhibition with or against a professional, but who except by reason of such associating has not had his amateur status affected.

### PARDONING POWER

Any organization governing a sport shall have the power to relieve an athlete of the effect of his commission of any of the acts by which he would otherwise have lost his amateur status when it is shown to its satisfaction that such act was committed through ignorance, inadvertence or excusable error.

### ALL AMATEUR TEAM AGAINST A PROFESSIONAL TEAM PERMITTED

Nothing contained in the provisions as to acts whereby an athlete loses his amateur status is such as to prevent a team of amateurs representing a well established organization from participating in a public competition or exhibition against a team composed of professionals, and it should be noted that under Clause E, of acts whereby an athlete's amateur status is lost a single professional player on a team makes the team a professional one.

By a team is meant not only such a team as one in which all the members thereof enter into the contest simultaneously, as a group like football, but also where the members of the team compete separately, as in track and field athletics, such competitions, however, to consist of the regular series of standard events and not merely one or more special contests.

### PENALTIES

The effect of having committed any of the acts whereby an athlete's amateur status is affected:

#### Penalty for Fraud

AA—One who has committed an act set down in Clause A shall never thereafter be permitted to compete or exhibit as an amateur in any sport.

BB—One who has committed an act set down in Clause B is subject to the following penalties or disabilities:

#### Penalties for Competing for Money

He shall never thereafter be permitted to compete or exhibit as an amateur in the sport or sports in which such act was committed.

After a period of five years has elapsed since the commission of any such act he shall be privileged to apply to the governing body of any sport other than that in which such act was committed for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violations of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

#### Penalties for Coaching for Money

CC—One who has committed an act set down in Clause C is subject to the following penalties or disabilities:

He shall not be permitted during the period of his coaching or training to take part in any amateur competition.

On his ceasing to be such coach or trainer he shall be privileged to apply to the governing body of any sport other than that in which such act of coaching or training was committed for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

After a period of five years has elapsed since the commission of any such act he shall be privileged to apply to the governing body of the sport in which such act was committed for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

#### Penalty for Capitalization of Athletic Fame

DD—One who has committed an act set down in Clause D is subject to the following penalties or disabilities:

He shall not be permitted to compete or exhibit as an amateur during the period of such use of one's name or of the enjoyment of any return therefrom, or during the period of his employment as such a salesman, or of his enjoyment from the return therefrom, or during the period of the publicity given to his name, or of the enjoyment of the financial benefit or reward therefor.

On his ceasing to permit his athletic name or fame to be capitalized in the manners set forth in Clause D and to receive no financial benefit or return therefrom, he shall be privileged to apply to the governing body of any sport for permission to compete as an amateur in that sport, and such body, or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

#### Penalty for Associating With Professionals

EE—One who has committed an act set down in Clause E is subject to the following penalties or disabilities:

He shall not be permitted during the period of such participation to compete or exhibit as an amateur in any sport.

On his having ceased to commit any of the acts set down in Clause E he shall be privileged to apply to the governing body of any sport other than that in which such act was committed for permission to compete as an amateur in that sport, and such body, or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

After a period of one year has elapsed since the commission of any such act he shall be privileged to apply to the governing body of the sport in which such act was committed for permission to compete as an amateur in that sport, and such body, or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control.

## PROCEEDINGS

THE CHAIRMAN: Now, gentlemen, if I may have your attention, this meeting will come to order. This afternoon we hope not merely to have suggestions made and listen to sage advice, but to accomplish some definite steps toward the solution of this problem which the Intercollegiate Association has placed before us, and if it meets with your approval, we will take up the various suggestions as made by the Intercollegiate Association, and discuss them one by one, in lieu of the suggestions as made at our Conference Monday. Very well reported and widely distributed copies of these proceedings are now being handed around by Mr. Stroud, together with the proposals of the I. C. A. A. A.

The Executive and Advisory Committees of the I. C. A. A. A. met just prior to this present meeting, and they have some amendments to propose, and if I may have your time for a moment, I am going to run through these and inform you what these proposed amendments are and will make a few remarks in reference thereto.

In the suggestions as submitted by the I. C. A. A. A. you will notice under the heading of "an Amateur," a statement which at first sight appears to be a definition. In point of fact it was never intended to be a definition. It was merely intended to be, as it were, a sign post, pointing the way towards the ethical standards to which one engaging in amateur sport should uphold. It seems to us of the Intercollegiate Association a terse, comprehensive, understandable statement. "An Amateur Sportsman is one who engages in sports solely for the pleasure and physical benefits he derives therefrom, and to whom sport is nothing more than an avocation." Comparing that with the definition of the Committee of the Athletic Research Society, you will notice at least one fundamental difference. That definition speaks of athletics, whilst this statement speaks of sport. "Athletics" does not seem to us to be the generic term that

"sports" does. Especially abroad does athletics take unto itself the feeling of track and field athletics, and at the meeting of the International Athletic Federation at Berlin, when anyone spoke of athletics he was generally speaking, not of sport generally, but of track and field competition. Moreover, when you say that you are taking part in sports for nothing more than the physical benefits or fun to be derived therefrom, and not as a vocation or business, but as an avocation, you certainly go a long ways towards stating what the ideal should be, and so we of the I. C. A. A. A. feel that that is a rattling good statement and might very well stand as it is. I am merely stating these as I go along and we will come back to them.

JUDGE WEEKS: Another marked difference between that and the National Research, a very vital one, you speak of "engaging;" they limit it to "participating and competing."

THE CHAIRMAN: Judge Weeks pointed out another fundamental difference which I was not going to refer to at this time, but is nevertheless just as vital, and that is that the Athletic Research definition has to do only with competition, whilst this has to do with participation, whether it be in competition or otherwise.

Going from that sign post, the Intercollegiate Association takes up acts of disbarment. Now, mind you, as I said on Monday, there is nothing herein which states these acts do other than disbar a man. They do not say that they make him a professional. The word "professional" has purposely not been used. It means that the man is disqualified from competing as an amateur. You can call him anything you wish, or nothing. It seemed to us wise that he be not called and so it is merely the penalty for what he does and not what he is called for doing so. I believe that we are all pretty well agreed, and from a rather close reading of the proceedings of the Conference I can see no voice of disagreement therein, that anyone who is guilty of fraud, has done an act which should disbar him from further competing with amateurs, and the language of "A" is fairly comprehensive "by competing or giving an exhibition in any athletic sports under an assumed name, or by being guilty of any fraud or other grossly unsportsmanlike

conduct in connection therewith." Of course, you could ask a hundred questions as to how to apply that, but in these fundamental statements or definitions which we are trying to get at this afternoon, it certainly should be wise to leave the interpretation and the enforcement, as far as possible, to the individual bodies by whom the act would be judged.

Now, then, Act B, "Competing for money" is one upon which there seems also to be a great unanimity of opinion, that disbarment should follow, but in that connection one naturally thinks of the conditions which exist in some sports like rifle and pistol shooting, which were very plainly pointed out by Dr. Sayre, and of some events which a soldier must compete in, as was very plainly pointed out by Major Cook, and in that regard it is worth while, just for the moment, giving attention to that clause which contains the pardoning power. As that reads at present it is that "Any organization governing a sport shall have the power to relieve an athlete of the effect of his commission of any of the acts by which he would otherwise have lost his amateur status, when it is shown to its satisfaction that such an act was committed through ignorance, inadvertence or excusable error."

Now, as to that clause, as read, I shall make a few remarks later, but in regard to the points about which I have just spoken, it seems to us of the Intercollegiate Association that it would be very wise to add thereto a further paragraph, reading as follows: "Or where the act was committed in a sport in which there was at such time no general competition by amateurs." *"Or where the act was committed in a sport in which there was at such time no general competition by amateurs."*

Now, assuming that Dr. Sayre is correct, there today is nowhere in the world any general competition by amateurs in the rifle or the pistol. Now, in the shotgun, as I personally believe, though have no tangible evidence thereof, there are two organizations, one of which encourages competition by professionals with amateurs, and one of which is earnestly endeavoring to eliminate all competing for money, and if that is so, we certainly should do that which we can to give encouragement to the organization which is endeavoring to forbid or



prevent competition for money, and, therefore, when it is said in a sport in which there was at such time—that is, the time of competition—no general competition by amateurs, you come pretty near meeting the situation as it now exists. Then a further exemption which would read as follows: "Or where the act was made obligatory by a governmental order."

JUDGE WEEKS: Governmental order is a little broad.

THE CHAIRMAN: As Judge Weeks just pointed out, the word "Governmental" is broad. It was purposely made broad. Perhaps it is too broad and when we come to discussing this specifically, maybe a better word can be suggested, but that was meant to fit not merely an order by the United States Government, or a State Government or Municipal Government, or any agent thereof, to wit, the National Guard, or whatever it may be, but any order which had behind it a power which the one to whom it was made did not have the ability to overthrow.

Now, that is the suggestion of the amendment, and as I say, it is not in our opinion by any manner of means perfect, but it is meant to meet the situation as pointed out by Major Cook.

Now, while we are on this pardoning power clause, I think it is well to give thought for a moment to what that really means, and I call your attention especially to the word "act." It says where such act was committed through ignorance. It does not mean where the consequence of the act was the cause of the plea of ignorance. In other words, if a man who competed for money comes out and says, "I was ignorant of the fact that competing for money meant that I was disbarring myself thereafter from competing as an amateur," but where he comes and says, "I didn't know that I was competing for money; I was out at a picnic and they came to me and said, 'Will you come out and run in this race?' and I did so, and afterwards they came up and gave me a five dollar bill, and I said, 'Why, I did not know that I was running for money; I thought it was a prize,' and I promptly gave the money back." So that that is directed towards the act of commission and not towards the consequences thereof, when it comes to a plea of exemption under that clause.

Now, coming back to the causes of disbarment, the third act "C."

JUDGE WEEKS: Are you not going to amend "B" in regard to the sale or pledge of prizes?

THE CHAIRMAN: If it is thought wise to do so, though it seems to us that the "indirectly receiving pay or financial benefits" comprehends a probability of his selling, or pawning or in any way turning into money the prizes received. Now, if in the opinion of those here present it does not, it is very easy to so add it, and I see from Judge Weeks that he does not feel that it does. Now, if it does not, when we come to that, let us add a clause to cover the specific pawning or bartering or selling of prizes.

Now, in "C" as it now reads: "By directly or indirectly receiving pay or financial benefits in consideration of, or as a reward for instructing or preparing any person in or for any athletic competition, exhibition or exercise."

Now, the young men of the Executive Committee of the I. C. A. A. A. have taken exception to that act of disbarment as it now reads and they say, "Here, there are hundreds of us during the summer time giving instructions of various kinds; we are engaged as tutors," and as Dr. Garcelon very well pointed out, as an incident to their tutoring they teach their scholars how to ride or play tennis, or take wholesome exercise. A man is engaged in a summer camp, not merely to teach swimming or baseball, or whatever it may be, but part of his duties comprehend just such service, and in addition to that which these young men pointed out, there are many other cases even more important. Take it right here in our public schools, every incentive is given to our school teachers to give instruction to their pupils in athletics, and when I say athletics, I mean primarily track and field sports, and there are hundreds of school teachers here in this City of New York who, after hours, take their boys out and try to show what they know in the way of running or jumping, or whatever it may be.

Now, if you will refer to the Rules as to Amateurism as laid down by the International Athletic Federation, you will find that this very point received careful attention, but it was

directed very primarily toward a very considerable class on the continent who are instructed by their Governments to go and teach in a certain institution, but nevertheless the language employed seems to exactly fit the situation as it exists in this country, and so the suggestion of the Executive Committee of the I. C. A. A. A., as made this afternoon, is that there be added to "C" the following: "Where such act was not merely as an incident to his main vocation or employment." That is the very language of the International Athletic Federation. "*Where such act was not merely as an incident to his main vocation or employment.*" Now, that enables that to be done which in the opinion of the Committees of the I. C. A. A. A. A. should be done, and still enables one to enforce the rule against the man who is primarily the coach of the athletic team, no matter what that team may be.

JUDGE WEEKS: Would that cover the case of a man who was employed as an instructor in a summer camp?

THE CHAIRMAN: It covers the case of a man who is employed as an instructor in a summer camp.

JUDGE WEEKS: At \$100 a month, where the instructors who are not athletes are only getting \$30?

THE CHAIRMAN: That covers it in part, and when taken in conjunction with Clause "D," covers it in toto, and to that I am about to refer.

Clause "D" has to do with the capitalization of athletic fame, and is probably the most important step forward which has ever been taken, and we of the I. C. A. A. A. A. certainly trust that it will be taken here this afternoon. The first paragraph has to do with one who permits his name to be used to advertise or promote the sale, or to act as the personal solicitor for the sale, or as the actual salesman of sporting goods, prizes, trophies or other commodities for use chiefly in or in connection with athletic games or exhibitions, and that stands without any suggested change.

As to the second paragraph, your particular attention is called to this, that that is not directed towards the mere receiving of pay for instructing in a summer camp, or on a playground, or whatever it may be, but as I read it—I want

you to give particular attention to the words "publicity," because that is the rock of the foundation upon which the structure is built.

"By engaging for pay or financial benefit in any occupation or business transaction wherein his usefulness or value arises chiefly from the publicity given or to be given to the reputation or fame which he has procured from his athletic performances, rather than from his ability to perform the usual and natural acts and duties incident to such occupation or transaction."

Now, as an example, I have used this with several of you gathered here, but it seems to so well fit the situation that I am going to repeat it. A few years ago a gentleman approached me and he said, "Mr. Kirby, I am going to endeavor to establish the largest summer camp in the East which has ever been had anywhere, and I want to attract to that camp the best boys and the greatest number of boys, and it is going to be a fine money-making proposition. Now, I am looking around for some man whose name is very well known, to be the adviser to that camp," and he said, "I believe you are that man." He says, "You have been President of the Amateur Athletic Union and you have been President of the I. C. A. A. A. A., and you have had a lot to do with playgrounds," and he said, "You have got a long string of titles to your name and I want to make you the adviser to this camp," and he said, "And I will pay you well for it." Well, I was interested. I said, "What do you want me to do?" "Oh," he says, "you don't have to do anything." "Don't you want me to come up to the camp?" "Oh, come up and look at it once during the summer." "Well," I said, "what are you going to do with my name?" "Oh," he said, "I will send out letters—advertising in the papers. It will go all right. I will be able to pay you," and he named an amount to pay me which was astounding. I did not think it possible that anyone would think that anyone's name, least of all mine, would be worth anything like that. Well, of course, I said no, but if I had said yes and earned my several hundred dollars a month by permitting him to capitalize on the name of "Kirby" for the fame, if you can call it such, that

has come to my name because of the fact that I have for twenty odd years been, let us say, prominent in athletic matters, I know that I should have become ineligible thereby to compete as an amateur, and I would not care whether you called me a professional or a crook. The fact is that I had done that which had made a vocation rather than an avocation of my love and desire and acts towards sport.

Now, if on the contrary that man had come to me and said, "Now, Mr. Kirby, you know a lot about boys. I want you to come up to my camp once a month and just look it over and advise me whether or not you think I am running it on sane, sound and clean lines, and for that I will pay you"—whatever it was, a nominal amount or a good fat amount, no publicity to it, no advertising, nothing except I was going to render service as an expert to him, I see no reason at all why I should be put out of competing as an amateur.

Now, that is a pretty big case, but it is on those extreme cases, it seems to me, that we are able to judge the propriety or impropriety of some such statement of disbarment as set down in "D."

Now, here we have well known athletes who to-day are being employed as instructors in summer camps and there is no doubt whatever, as Judge Weeks suggested, that some of those are being paid more because they are good athletes than they would otherwise receive. Now, in my opinion there is no reason at all why they should not be paid more, because they are probably more efficient in their work; because a competing athlete is apt to be a better disciplinarian, a better one as a leader of boys than a mere chap who confines his energy to the four corners of his book, but where that star athlete, in addition to permitting himself to be employed as an instructor, or whatever it may be—perhaps his name to be advertised, his fame to be given publicity to, as "John Jones, former Captain of the X. Y. Z. Football Team is now in charge of our summer camp," then is the time to apply this rule, and I believe the rule as stated gives to the organization which will have it upon its books, that opportunity. Now, maybe you will say it is not specific. Few of the rules set down here are specific

and they should not be, because as I have said before, is it not better that we should take our steps slowly and leave the various organizations which we hope will adopt into their Constitutions, or By-laws, or Rules of athletics, or whatever it may be, all or such part of these suggestions as it seems wise, to enforce them according to the peculiar circumstances which govern the forces which they control and the case which comes before the body, committee or whatever it may be which has the say?

Now, the next act of disbarment is that of associating with professionals.

MR. BETTS: Mr. Chairman, before you touch that subject, unfortunately I did not get the invitation and I was not here, and I hope I am not blockading things in arising at this time. My name is Betts. I am representing the Federation of American Motorcyclists. You have just stated that this clause "D"—I understood you to say there was no objection at all. The sentiment was unanimous on this clause "D", particularly the first section of it.

THE CHAIRMAN: No, I did not say that.

MR. BETTS: What did I get you to say?

THE CHAIRMAN: I did not say that, because we have had no direct expression of opinion, when it comes to specific cases, but we have had from all who appeared on Monday an expression of opinion that a capitalization of one's athletic fame should by proper legislation, be prevented. Now, what we are going to try to do today, and if I may make the suggestion, Mr. Betts, when we come to taking up "D" specifically, as it is stated in the first paragraph, whether or not "C" is too broad or broad enough in its language, which has to do with selling things or permitting one's fame to be advertised as the maker of a racquet or the maker of a motorcycle, or in the second paragraph—

MR. BETTS: Not to interrupt you, Mr. Chairman, but that is exactly what I want to bring out, whether this is to be brought up again.

THE CHAIRMAN: It will be brought up again.

Mr. BETTS: The only reason I interrupted you was that I understood you to say the sentiment was there was no objection to that clause.

JUDGE WEEKS: I think also, Mr. Chairman, when we get down to this clause there will have to be a little clearer understanding of the summer camp situation. Every time that I speak to anyone about it, I get some new lights on it, and I understand now that in many of the camps the question of instruction—book instruction is not considered when the instructors are invited to come to the camp; that the camps do not either require or expect the boys that come there to take instruction, and the fees for instruction are not included in the camp fees. If a boy desires, or if his parents desire him to have instruction, that that is an extra and is specially provided for, and that if the student, for instance, is invited to come to one of these camps as an instructor or to be connected with the camp, he does not go there under any specific contract to teach any particular subject, and in some cases the men who are there give no book instruction whatever and are not expected to. I do not know whether I am stating it too broadly or not.

THE CHAIRMAN: I do not believe that Judge Weeks is stating it too broadly, and that which he says in regard to summer camps also applies even to a greater degree to instruction on playgrounds, and it would, therefore, follow that what is intended by this and what the I. C. A. A. A. through its Executive and Advisory Committee means is, that whereas it says in regard to engaging for pay or financial benefit, that as I pointed out, it has to do not with the nature of his employment so much, as with the publicity given thereto.

JUDGE WEEKS: What I want to get clear in my mind is whether there is anything whatever in these rules that would interfere in the slightest way with a summer camp organizing and selecting as their—I don't know whether they call them instructors—

THE CHAIRMAN: Their staff.

JUDGE WEEKS: Their staff, as counsellors, a baseball captain of one college, a football captain of another, and the captain of

the swimming team of another, and then the captain of the track team or a good track athlete as another, and with those four men on their staff, without issuing any pronouncement in regard to it, other than "Our staff consists of A, B, C, D, E, F, G, H, we will be glad to have your sons there," now what happens? Then all you mean is that they must not in their literature call attention to the athletic qualifications of the individuals that they select for their staff. If that is so, your rule amounts to nothing.

THE CHAIRMAN: Any clause that applies to the case you point out would be "C", which has to do with directly or indirectly receiving pay for instructing or preparing any person in or for any athletic competition, exhibition or exercise, to which the Association has suggested an addition, "Where such act was not merely as an incident to his main vocation or employment." Now, I fully appreciate your point, and the interpretation of it would come as to whether or not this man or those men, as counsellors to the summer camp were merely teaching those fellows how to enjoy life and have a good time, or were preparing them for an athletic competition, exhibition or exercise, and what has to do with the summer camp has just as vitally to do with the playground.

JUDGE WEEKS: But, Mr. Chairman, that case would have to be rated under sub-division "C". Sub-division "C" is directed to the receiving of financial benefit in consideration of instructing or preparing a person in or for any athletic competition. Certainly it could not be claimed that the work of a member of the staff at a summer camp, say with boys of thirteen to fifteen years, was the work of preparing them for an athletic competition or for an athletic exhibition, or is it even preparing them for athletic exercise.

THE CHAIRMAN: Well, we feel that your conclusion is a sound one.

JUDGE WEEKS: And if there were any doubt as to the insufficiency of that language to meet such a case, the paragraph is absolutely emasculated by the addition you put to it, "Where such act was not merely as an incident to his main vocation or employment." His main employment in this case is as a staff

of the camp, to keep the boys in order; to look after generally the morals and health of the boys that are in the tent with him.

THE CHAIRMAN: Judge Weeks interpreted the clause as it was intended to be interpreted.

JUDGE WEEKS: That would not apply.

THE CHAIRMAN: It does apply. It means this man, as Mr. Perry has very well said, should not in the opinion of the I. C. A. A. A. be disbarred from competing as an amateur, and there was never any doubt to the contrary.

DR. GARCELON: Do I understand this is to be discussed later?

THE CHAIRMAN: It is, Mr. Garcelon, and I am rather regretful that we are taking so much time over it at the present time.

The last clause is that of associating with professionals, which has two paragraphs, the first, "By having played in any public competition or exhibition upon a team on which there were professionals, but who himself had not been paid to play or coach, or who in any manner, except by reason of such associating, has not had his amateur status affected." Now, the classes which apply there more particularly are the summer baseball classes, which are comparatively easy to control, and the very large class of soccer football players, about which the representative of that Association spoke to us so plainly on Monday. The second paragraph, "Without obtaining the consent of the organization governing such force, by having participated therein in any individual public competition or exhibition with or against a professional, but who except by reason of such associating has not had his amateur status affected." That word "professional" is used rather inadvertently. That has to do with individual competition, without the consent of the governing body. As we are all aware, certain organizations like the Golf Association, permit individual competitions between professionals and amateurs. As we are also well aware, other organizations like the Amateur Athletic Union and the I. C. A. A. A. do not permit individual competitions between amateurs and professionals, and it is doubted seriously,

even if these were adopted and if permission were asked for, that that permission would ever be given.

Then follows the pardoning power, about which I have already spoken, and then, "An all amateur team against a professional team permitted," which at the present time, under the rules, is not permitted. Then comes the various penalties, and inasmuch as these penalties are bound to a very large extent to go hand in hand with the offenses which bring forth the punishment, it seems to us that the best way to take these up is to take them up with the various acts of disbarment, to discuss them and see if we can pass some resolutions to this effect: Let us assume that we are agreed as to some one clause, that it is the sense of this meeting that clause "A" should be adopted by the various bodies governing sport in this country. Now, a recommendation like that from this body, as I said on Monday, would undoubtedly have the effect with the I. C. A. A. A. of having it amend its constitution at its annual meeting on the first Saturday in March, to meet with that suggestion, and probably other bodies here represented as they had their meetings would likewise fall in and amend their constitutions.

Now, gentlemen, I have tried to give you some of the reasons behind these suggestions and some of the changes in the suggestions as brought about by the proceedings on Monday, and I am going to ask you, if you will, to those who desire to give voice to the various suggestions here made—and may I suggest that first of all we have an expression of opinion as to whether or not the title of an amateur, which as I said was intended merely as a sign post, is a statement which is comprehensive enough to be adopted, as one to be embodied in the rules of the organizations here represented, and rather than call for the various organizations, I think we will save time if anyone who has to speak to any matter will do so in such order as it is desired.

Now, may we have an expression of opinion as to the statement of an amateur? "An amateur sportsman is one who engages in sport solely for the pleasure and physical benefits he derives therefrom and to whom sport is nothing more than an avocation." May I suggest that Dr. Raycroft—or is Dr.

Bowen here? Inasmuch as that in a way meets with another definition of the Committee of the Physical Research Society, will you express your opinion as to that—whether that is a wise statement?

DR. RAYCROFT: Mr. Chairman, I did not come prepared to make any argument upon the matter. I think one of your statements, if I understood it correctly, however, is not verbally correct. As I remember—

THE CHAIRMAN: Will you kindly step forward and they can all hear you, and it is really important that every one should hear. Stand right in front of me.

DR. RAYCROFT: Sorry to do that, sir. Your first comment, as I understood it, related to the wording of the suggested definition as contrasted with the wording of the definition suggested by the Athletic Research Society. I think you made the point that the definition the Athletic Research Society used was the term "Athlete" or "Athletic" in the limited sense, which had made the men in the International Federation to understand thereby track and field athletics.

THE CHAIRMAN: Yes.

DR. RAYCROFT: The wording as printed in the circular on page 67 is, "An amateur athlete is one who participates in competitive physical sports only for the pleasure and the physical, mental, moral and social benefits directly derived therefrom." "Participates in competitive physical," are words which have a much broader meaning than simply "in athletics." I should say that the differences between the two definitions suggested are so minor in character that the members of the Athletic Research Society would feel that this one was entirely satisfactory. The differences which have been made have not been changes in principle in any sense, but have been generally the adoption—

JUDGE WEEKS: You limited it in the Research Society. This goes more broadly. Yours placed you in a position to create a non-competing amateur. This does not.

DR. RAYCROFT: That depends, I suppose, Mr. Chairman, upon the definition—the interpretation of the word "engage" as contrasted with the word "participate".

JUDGE WEEKS: Participate in competitive physical—star athletes.

THE CHAIRMAN: The fundamental differences. Dr. Raycroft is quite right in stating that I pointed out an apparent distinction which does not exist. You use the word "sports" as the Intercollegiate Association also does, but as Judge Weeks has pointed out, the fundamental difference is that you refer to competitive physical sports. Now, by that I presume from what you have just said is meant not actually competing, but sports in which there may be competition, but it is subject to either conclusion, and being subject to either conclusion, is it not better that we have something which is only subject to one conclusion?

DR. RAYCROFT: The first section of the explanation also on page 67 refers to that use of the word "participate". "It includes only those who actually participate. Others may be amateur in spirit, but not until they enter competitive events is it necessary to consider their standing." There are, of course, differences, possibilities of differences of interpretation. These are not drawn up, if you please, by legal gentlemen, and they are trying to express a general spirit of amateurism and a definition which would express that. The definition then has certain explanations appended which may cover the ground to sufficiently interpret them or not—very probably do not cover all cases. The general tenor, however, is one which should be clear. Then to answer the Chairman's question, I should say, speaking as an individual from the Athletic Research Society, the definition suggested by the I. C. A. A. A. is exactly in line—in spirit with the one recommended by the Athletic Research Society. I am not sure about the truth of the next statement. I am going to make—I will make it simply as a suggestion. My recollection is that this definition was adopted—not adopted, because the National Collegiate does not adopt—in that sense, but recommended by the National Collegiate Association a couple of years ago. I think it appears on the individual records of that Association, so that that applies to a statement which you made later. I think that general recom-

mendation is made by the National Collegiate to its members and to those with whom it is allied.

THE CHAIRMAN: Now, have we any further remarks? What does the Amateur Athletic Union feel about that definition, or that statement, or that sign post?

JUDGE WEEKS: I see no objection to it, Mr. Chairman, in its present form.

THE CHAIRMAN: Someone has reminded me that I failed to call the roll of those here this afternoon, that we have represented some who were not represented on Monday, and to the end that we may have a record of this rather important meeting, I am going to take up a moment's time to call the roll.

Is there anyone here from the National Lawn Tennis Association? No.

U. S. Golf Association? No.

Amateur Fencers' League of America? I note Dr. Hammond and Mr. O'Connor.

International Skating Union of America? I think there is someone here. I thought I saw Mr. Fellows; apparently no.

U. S. Revolver Association? I note Dr. Sayre.

The National Association of Amateur Billiard Players? Mr. Moon.

Playground and Recreation Association of America? Dr. McCurdy.

Boy Scouts of America? Is Mr. Perry here? Mr. Perry is here.

The National Collegiate Athletic Association? I note Mr. Garcelon. Anyone else?

MR. GARCELON: I think not.

THE CHAIRMAN: The Athletic Research Association? I note Dr. Raycroft. Is Dr. Bowen here?

DR. RAYCROFT: He is not here.

THE CHAIRMAN: The Intercollegiate Basketball League, also represented by Dr. Raycroft this afternoon. If Mr. Morgan is here I will be glad. Mr. Morgan appears not to be present.

United States Football Association? Is Mr. Mockler here today?

MR. MOCKLER: Yes, sir, and Mr. Cahill, also.

THE CHAIRMAN: The Amateur Athletic Union of Canada? Is Mr. Crow here?

MR. CROW: Present.

THE CHAIRMAN: The Amateur Athletic Union of the United States is on hand, Bartow S. Weeks, George J. Turner, and Frederick W. Rubien.

The Athletic League of the Y. M. C. A. I note Dr. Fisher. New England Intercollegiate Association, Dr. Olds, or Dr. Whittier, or Dr. Phillips?

DR. PHILLIPS: Present.

THE CHAIRMAN: Is Dr. Thompson present?

DR. PHILLIPS: Dr. Phillips is the only one I think of the New England Association.

THE CHAIRMAN: The North American Gymnastic Union? I note Mr. Howe. Anyone else?

MR. HOWE: Mr. Howe and Mr. Sickel are here.

THE CHAIRMAN: The Western Intercollegiate Association represented by Mr. Waldo Adler, is that right?

MR. ADLER: Southern Intercollegiate Association.

THE CHAIRMAN: And the Intercollegiate Association of Amateur Athletes of America by the Executive and Advisory, as stated on Monday.

The Military Athletic League by Major Cook.

Add to the delegates of the National Collegiate Association the name of Dr. Raycroft.

MR. KELSEY: The National Cycling Association.

THE CHAIRMAN: Any other organizations here represented?

MR. BETTS: The Federation of American Motorcyclists.

THE CHAIRMAN: Now, I think we have them all.

Now, does the Chairman hear a motion in regard to the adoption of the definition of an amateur? "An amateur sportsman is one who engages in sport solely for the pleasure and physical benefits he derives therefrom and to whom sport is nothing more than an avocation."

DR. RAYCROFT: Mr. Chairman, I notice that the Research Society has the words "mental and moral benefits," and in trying to think that thing through, I am conscious of the fact

that many of the leading physical educators of our time are convinced that athletics and kindred sports have as perhaps their largest value, not the physical results, but the educational results of athletics. Our playgrounds, our schools, our colleges are more and more using athletics for the purpose of bettering the mentality and the morals of those who participate in them, and it seems to me that a definition would be incomplete that absolutely ignored those values, and I think if we are seeking to prepare a definition that will meet with the approval of all of those promoters of athletics, that our definition should include that in some form.

JUDGE WEEKS: I see no objection to adding those words "mental, moral and social" after the word "physical".

THE CHAIRMAN: The suggestion seems to be a valuable one, for the pleasure and physical, mental and moral.

DR. RAYCROFT: The social is included under the word "pleasure".

THE CHAIRMAN: "For the pleasure and physical, mental, moral and social benefits he derives therefrom." Gentlemen, do I hear a resolution in regard to the proposition as amended.

DR. GARCELON: Just to clear the atmosphere, I understand that when a resolution is adopted here, it means that this meeting recommends to the various governing bodies that they adopt that, that there may be uniformity and there is no obligation on the part of any organization to adopt it.

THE CHAIRMAN: None whatever.

DR. GARCELON: This is for the purpose of fostering uniformity of general laws governing all of these sports?

THE CHAIRMAN: That is all.

JUDGE WEEKS: I understand also, Mr. Chairman, that even if these were adopted in the main, that it would not prevent any association from adding other restrictions if they saw fit?

THE CHAIRMAN: None whatever.

JUDGE WEEKS: Such as the preservation, for instance, of the registration scheme in the Amateur Athletic Union; in the colleges in their limitations as to college eligibility?

THE CHAIRMAN: Judge Weeks is quite correct. It merely indicates a sign post, pointing the way and not conclusions.

Now, gentlemen, if it is your pleasure I shall put the question whether or not it is the sense of this meeting that merely as a suggestion to the various governing bodies, it be adopted that "An amateur sportsman is one who engages in sport solely for the pleasure and physical benefits he derives therefrom and to whom sport is nothing more than an avocation."

Are you ready for the question?

DR. GARCELON: Would you use the word "social"? I presume some men go for physical, others for mental, others for social.

THE CHAIRMAN: "Or" is substituted in place of "and." It is too bad we cannot have the English way "and and or." All those in favor of this resolution will signify by saying aye.

DR. FISHER: I was wondering if we adopted this present form, some of us who are already using the other definition of the Research Society would have to modify that definition.

THE CHAIRMAN: Not necessarily. If you feel this way, I presume sooner or later you would modify it.

DR. FISHER: We have compared the two definitions quite carefully. If we did vote for any one of them it would mean we were in disfavor of the other.

THE CHAIRMAN: No, this seems to be broader than the other, that is all. All those in favor, signify by saying aye.

JUDGE WEEKS: Before it is adopted, let me make one suggestion, because I think it is worth some consideration, that two gentlemen here, more modest than myself, have called my attention to. Why is not the generic definition laid down by the International Federation simpler and sufficient? "An amateur is one who competes only for the love of sport."

THE CHAIRMAN: Because it has to do with competition.

JUDGE WEEKS: Who engages in sport only for the love of sport.

DR. RAYCROFT: I think these definitions are a bit faulty in one sense from the college man's point of view. I know a number of men that do not compete always for the love of the sport, that compete out of loyalty to the college, and it is not quite true to say that all men do compete for the love of the sport.



DR. SAYRE: I suppose it is also true that some men compete from the social standpoint, that they think by competing they may get in college societies when possibly they might not be touched with a hundred foot pole unless they were pretty good athletes. Therefore, they get a social pull.

MR. MOCKLER: Mr. Gerrish calls my attention on page 67 in the Federation's definition they bring out that very point in No. 5, "Institutional or team loyalty and opportunity for service are proper sources of pleasure or benefit." That I think is a strong point. I know of many cases of men who have played football for the opportunity of serving their alma mater.

MR. BETTS: Mr. Chairman, if physical, moral, mental and social don't cover pretty nearly everything, loyalty and everything else, I cannot imagine what will.

THE CHAIRMAN: Mr. Betts, that is the point. Dr. McCurdy feels that inasmuch as they do cover nearly everything, and the word "love" does not, that it would be better to adopt the suggested definition as we have it before us, rather than that of the International Federation that merely has love.

Now, gentlemen, are you ready for the question? All those in favor signify by saying aye, contrary no. The ayes seem to have it. The ayes have it.

Now, the next suggestion is that which has to do—I see Mr. Merrick. J. S. Merrick is here representing Mr. Wrenn of the National Lawn Tennis Association. Your Chairman has a telegram from Mr. Wrenn which says, "Severe cold prevents my attending Conference this afternoon, much disappointed and with interest await results meeting and pledge you my support."

The next matters for the meeting to consider are those having to do with Acts of Disbarment. "A person shall cease to be an amateur by committing any of the following acts:

Fraud. A. By competing or giving an exhibition in any athletic sport under an assumed name, or by being guilty of any fraud or other grossly unsportsmanlike conduct in connection therewith."

Will you kindly take up that suggestion?

MR. BETTS: Mr. Chairman, I move that the word "athletic" be stricken out. If a man is a sportsman, he ought to be a sportsman all the way through, not merely measured by his muscles, but every other way. You might say, for instance, that a motorcyclist is not an athlete; that motorcycling, in other words, is not an athletic exercise. Possibly technically you are right.

THE CHAIRMAN: That might mean a chess player or a whist player.

MR. BETTS: I do not care who he is. If they are competing under an assumed name or guilty of any fraud, I stand for the elimination of athletic and sportsman all the way through.

THE CHAIRMAN: Gentlemen, you have heard Mr. Betts' suggestion, that is that anybody who competes under an assumed name, no matter what it is, plays bridge as John Jones whose name is John Smith, or who is guilty of any fraud, cheats at cards or in billiards or chess, whatever it is, is out so far as athletic competition is concerned.

JUDGE WEEKS: The elimination of the word "athletic" only applies to not competing or giving an exhibition in any sport under an assumed name, being guilty of any fraud, or grossly unsportsmanlike conduct. Why should the word "athletic" be included in there, as we do not include it in our basic definition?

THE CHAIRMAN: It should not be. It seems to be agreed that the word "athletic" should be dropped out, so that "A" would read, "By competing or giving an exhibition in any sport under an assumed name, or by being guilty of any fraud or other grossly unsportsmanlike conduct in connection therewith."

What is your pleasure in regard to his suggestion?

MR. ADLER: Mr. Chairman, it seems to me if you are going to begin to eliminate the term "athletic", we are going to get into increasing difficulty. The original purpose of this discussion has to do with relation to the regulation of athletic competition, and if down here we are to take out the word "athletic" so that our definition refers to any sport, and we may include any kind of game in which one competes, whether it is athletic, or chess or checkers, or other games, then we must understand

that our definition above an amateur has the same bearing, and that we are legislating not for athletics, but for the whole general realm of social relationship of every sort. I do not believe that that is our intention. It seems to me the term "athletic" ought to be retained there, and as a matter of fact it ought to be in that first definition of an amateur.

THE CHAIRMAN: There is no doubt whatever that in any sport, whether it is athletic or otherwise, the definition of an amateur applies. Now, we are to another question, that is Acts of Disbarment, and inasmuch as you speak of it, that is the reason that the word "athletic" was interposed before the word "sport", because we felt that in disbarring a man from amateur competition in those matters which we have in common, that is athletic sports, we ought not to consider his acts in chess, or billiards, or cards, or whatever it may be, so that we are really up to the point that Mr. Betts makes, and that is whether we are going to keep out of athletic competition a man who is a cheat at cards, or at chess, or checkers, or some game which is not *per se* an athletic contest.

MR. ADLER: That is the way I understand, Mr. Chairman, and that is the reason I think the word should not be struck out.

THE CHAIRMAN: How does the meeting feel?

MR. MOON: The very first section in this pamphlet reads as follows:

"Not as definite conclusions, but merely as suggestions, the I. C. A. A. A., through its executive and advisory committees, submits to the governing bodies of amateur sport for their consideration,"

and not "amateur athletic sports". In other words, we are all invited here as representative bodies of amateur sports.

THE CHAIRMAN: Well, we would like to have had some chess players to give their views on the subject.

MR. MOON: What I am getting at is if it is to be purely an athletic meeting, why, then there are some of us that really have no right here and should withdraw.

THE CHAIRMAN: You are an athlete all right within the tenor of this meeting.

MR. MOON: No, I am not an athlete.

THE CHAIRMAN: Billiards, bowling, and the like.

MR. MOON: Don't you think it would be well somewhere then to make a list of the sports which are sports?

THE CHAIRMAN: It might be, but do not let us put our minds to that now, because it is a pretty big classification.

MR. MOON: We are running into difficulties, because as you get further along, as the previous speaker said,—

THE CHAIRMAN: Let us take that up each specific time.

MR. FISHER: You need to be consistent all the way through, I suppose, and we have already defined an amateur sportsman, leaving the thing wide open for the elimination of this word "athletic" throughout. What is the intention, to leave it open or closed?

THE CHAIRMAN: As I intended to point out, the large definition was intended to refer to anybody who engages in any sport, whether it is what we generally understand as an athletic sport or otherwise. Now, we are coming to specific acts which disbar a man from competing as an amateur in athletic sports. Now, Mr. Betts contends that one of the acts which should disbar a man from competing in athletic sports is fraud in any sport, though be it that that is not an athletic sport. Speaking specifically, he contends that a man who has been found guilty of cheating at cards and thereafter comes up and wants to compete as a golf player, or in track and field athletics, or in billiards, or whatever it may be, should be ineligible to do so. On the contrary some of you may feel that though he is a cheat at cards, that never having cheated or competed under an assumed name, or done anything which he should not in athletic sports, that he should be eligible. Now, I am asking the meeting what it feels on that question. I think I have stated it clearly.

MR. BETTS: Mr. Chairman?

THE CHAIRMAN: Mr. Betts.

MR. BETTS: There is not any doubt about it, when you put the word in that preamble, whatever you care to call it, you get all objections, it seems to me that may be brought to bear against the elimination of the word "athletic". I still stand for it. If a man is a cheat at cards, if he is grossly unsportsman-

like in checkers or guilty of any such act, he is unfit to be an amateur sportsman, whether he tries to compete as an athlete or any other old thing.

DR. McCURDY: It seems to me we all agree in general with what this gentleman has said, but if we are going to try to follow a man through all of his social relationships, everything that he does and check up on him, we would have to have a detective force pretty large. I think we must take some things for granted with reference to the honesty and character of a man, and not specify so finely that we will have to employ a detective force.

DR. GARCELON: It seems we are here primarily to talk about athletics, and I believe in retaining the word "athletic".

THE CHAIRMAN: The Chairman will take the liberty of putting the vote. All those in favor of eliminating the word "athletic", which would mean that if you recommend the adoption of this clause "A", that would apply to every sport, cards, checkers, and the like, all those who believe in eliminating the word "athletic" kindly signify by saying aye, contrary no.

The noes seem to have it. The noes have it.

Now, gentlemen, are you ready for a motion to adopt clause "A" as printed?

All those in favor of the adoption of a motion recommending the adoption of clause "A" as printed, retaining the word "athletic", signify by saying aye, contrary no.

MR. MOCKLER: Do you want the votes of the individuals present or the associations?

THE CHAIRMAN: Unless there were a division I should not call for it. I think there were about three votes no.

MR. MOCKLER: I have a very strong opinion which I will cite, if you want me to express my opinion.

THE CHAIRMAN: You had better keep silent until it comes to argue.

The motion seems to be carried. The motion is carried.

I hope you will pardon me. I do not want to appear in any way brusque or rude in this matter. It is merely a tremendous lot to do. If anyone feels I am slighting them, I must humbly apologize. I have no such intention.

Clause B, competing for money. "By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for participating in any public athletic competition or exhibition."

Now, assuming, that is in the general trend of matters, the Amateur Athletic Union, through Judge Weeks, feels that that should have an additional clause in regard to pawning, bartering or selling prizes, will Judge Weeks give us his suggested addition thereto?

JUDGE WEEKS: Why, I think briefly a clause as contained in the Federation Rule, selling, pawning or giving away prizes—selling or pawning his prizes.

THE CHAIRMAN: So that the rule would read:

"By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for participating in any public competition or exhibition, or by selling, pawning—"

JUDGE WEEKS: Selling or pawning.

THE CHAIRMAN: Selling or pawning. How about giving them away?

JUDGE WEEKS: I don't think there is any objection to that.

MR. MOCKLER: How about trading them?

JUDGE WEEKS: That is in effect a sale.

THE CHAIRMAN: Or by selling or pawning.

MR. BURDICK: I think we ought to put in the matter of giving away. We had a distinct case of a college man in Baltimore within three months refused to give up his prize.

JUDGE WEEKS: I think there is so much of the giving away of prizes, and I think it is very proper that a man should be allowed to give away his prizes. I think the practical way of reaching that has been suggested this Fall by having the A. A. U.—the Registration Committee send a notice to every athlete that if he gives away his prize, he must immediately notify the Registration Committee of the name and address of the person to whom it was given.

THE CHAIRMAN: Oh, my! Oh, my! Oh, my!

JUDGE WEEKS: And we have also notified them and notified the promoters of athletic meetings that when watches are given

as prizes, both parties must immediately notify the Registration Committee of the case number and works number of the watch and also the name of the maker.

MR. MOCKLER: Does not the clause as you have it "Indirectly receiving financial benefits" cover all of that?

THE CHAIRMAN: We who proposed it consider that it does, as I stated in my opening remarks, but it was felt for the purpose of clarity, it might be better to have the clause Judge Weeks has suggested. We felt it better not to do so, because there are so many doors.

MR. MOCKLER: I think it is better not to do so. Leave it stand right there on its own interpretation. By making this exception then you call the attention of that class indirectly to receiving financial benefit, because you specify one case, but you don't specify others that may arise.

JUDGE WEEKS: My special reason for thinking it should be covered, aside from the fact it is specifically covered in the Federation Rules and I think in the Physical Research Rules, is that from the language of this section it says "Indirectly receiving financial benefits." Those are the words that would have to be applied to the selling or pawning of prizes, in consideration of participating or as a reward for participating. Now, the prize is the thing that is received in consideration of participating, or is the reward for participating and the participation is over before the prize is received, and, therefore, the subsequent disposition of the prize is not in connection with the participation. You will find some of these sea lawyers who would find it.

DR. GARCELON: I absolutely agree with Judge Weeks on that, because a man who gives his prize away or sells his prize a long time after participation would not receive financial benefit in consideration of or as a reward for participating. What I arose for was to ask what he would suggest with reference to giving away prizes. I know it is common among young men to give away their prizes to their girls, and I wondered whether or not there were evils connected with the giving away of prizes.

THE CHAIRMAN: Mr. Garcelon asks a very pertinent inquiry as to what evils, if any, exist from the giving away of prizes, and points out that it is and has been customary from the time the memory of man runneth not to the contrary, for an athlete to run to his sweetheart and try to prove what a real athlete he was by presenting her with them.

JUDGE WEEKS: The practical difficulty is that when a question arises as to what has become of a prize, you ask an athlete what became of it and he says that he gave it to Jennie Jones, who used to live in New York, and now he don't know where she lives.

DR. GARCELON: May I ask cannot the Amateur Athletic Union govern that in its own ranks?

THE CHAIRMAN: I think Dr. Garcelon has reached the whole crux of the matter, and that is in the application of any of these rules, which seem to us should be very general, they can make such additions or qualifications as seem best.

DR. HAMMOND: Mr. Chairman?

THE CHAIRMAN: Dr. Hammond?

DR. HAMMOND: If such a rule is passed about giving away prizes, it would hit home very hard. I have given away every prize I ever received to the athletic club.

THE CHAIRMAN: Kindly tell me how many sweethearts you have?

DR. HAMMOND: The athletic club has all of my prizes and has the prizes of a great many other members of the athletic club.

THE CHAIRMAN: Gentlemen, it seems to be the consensus of opinion that the giving away of prizes should not be included, but that to the question as proposed should be added "or selling, or pledging one's prizes."

DR. RAYCROFT: I suggest the phrase the Athletic Research Society has, "Giving or disposing of prizes for personal gain."

JUDGE WEEKS: Instead of "selling or pawning".

THE CHAIRMAN: That suggestion meets with the approval of Judge Weeks?

JUDGE WEEKS: Fully.

THE CHAIRMAN: Or disposing of prizes for personal gain, so that the question will read as printed, with the addition of that clause.

Are you ready for the question?

All those in favor of the adoption, signify by saying aye, contrary no.

One voice, no. The Southern Intercollegiate Association votes no, for what reason?

MR. ADLER: Mr. Chairman, I take it that this definition may be taken up almost anywhere and by almost anyone, friendly or unfriendly. Let us suppose this definition should reach an unfriendly foreigner and he would say to himself, "The Americans find it necessary to be satisfied their amateurs are not selling their prizes." It seems to me to be beneath the dignity to specify bad acts.

THE CHAIRMAN: I think I can nip that argument right in the bud when I refer to sub-division D of the Committee of the International Amateur Athletic Federation, which report was unanimously adopted, which reads:

"An amateur may not sell, pawn or give away his prizes, and shall hold the same subject at all times to the inspection of the members of the Federation of his country."

Would that change your vote?

MR. ADLER: Change my opinion to some extent, sir, but it does not convince me at all. It seems to me in sporting affairs there is no end. You might go on making out all sorts of things that should not be done. In other words, I want to speak to the whole question and say I agree very strongly with what Mr. Labrette said three or four years ago. He said it was easy enough to define definitions, but our work should be to change the spirit of things as much as possible so we would not be in the position to legislate negatively.

THE CHAIRMAN: We record the negative vote of the Southern Intercollegiate Association through Mr. Adler.

The next clause is that of Coaching for Money, "C." As printed, it reads:

"By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for instructing or preparing any person in or for any athletic competition, exhibition or exercise."

Now, the added paragraph as suggested today by the Intercollegiate Association reads:

"Where such act was not merely as an incident to his main vocation or employment."

And if you will look at the top of page 79 of the proceedings Monday, you will find that language contained as a part of paragraph 5 of the report of the special committee on amateur status of the International Athletic Federation. Now, gentlemen, what is your pleasure in regard to this very important clause? That includes the summer camp question.

Mr. Kelsey asks to be excused. He has the grippe and the best place for him is bed, and I am quite sure while we regret not to have him with us, we will excuse him from the meeting.

That includes the summer camp question, and we have already had a considerable conversation in reference to it between Judge Weeks and the Chair.

DR. GARCELON: I did not want to start off this discussion, but perhaps somebody must, if it is going to start. The problems that meet the colleges are materially different from those that meet the Amateur Athletic Union and a good many other branches of sport. It is pretty difficult for a college man to meet a man who is an amateur athlete or connected with the Amateur Athletic Association, and reply to certain questions that may be asked him. They say, "Why should Mr. So and So of your College capitalize his fame by writing for newspapers, and is it not the fact that the Captain of your track team tutored a boy in Cape Cod last summer, was paid a hundred dollars a month, and a good large part of his duties as a tutor consisted of teaching him to row, and teaching him to hurdle, and teaching him how to kick a football and all of that, and why is not that man just as much of a professional as one of our boys who goes out on a field and coaches a team of track men over in Brooklyn or in New Jersey?" Tearing conditions

down to a fine point, there may not be any difference, but the question that has repeatedly come up to me since the last meeting, is this: What are we trying to do? Are we trying to lay down some rules that will not allow any man who is an athlete to get any benefit of any kind whatever from that success that he has attained in athletics, or are we trying to keep our sport on a high plane? Are we trying to introduce character and high ideals into it, and then the question arises, does the gain in indirect ways lower the character—lower those ideals? I will confess that I am not positive exactly where I stand on the thing, because it has seemed to me almost impossible to frame a rule that would cover everything. It certainly is for the benefit of Young America to have in camp in the summer with him, teaching him how to swim, how to run and how to jump, and how to kick a football, and the right ways of doing all kinds of things—it is a benefit to Young America to have a man who is skilful in those sports, whether he be a college man, a Y. M. C. A. man, or a man who is not connected with any definite organization, and if any of us were at the head of a large summer camp and we were going to have fifty boys under us, we would not go first to look for the leading man in scholarship in the class, unless this man had some athletic ability. Men of weak constitutions, men who are unable to do things, don't inspire you, and so if we were in such a position, we would look for men of good physique, for men who can do things, for men who know how to jump, know how to swim, not only have the safety of the boys at heart, but have their instruction and benefit, and so it seems to me that we ought to move very slowly in trying to lay down any rule which will cover this whole situation. The summer camp question has arisen within recent years. I think there are cases where there are great abuses of it. I think there are a great many other instances where the men who go to those summer camps and who are hired, although the man at the head of the camp feels that he must deny it, and the men who go and take the compensation feel that they must deny that they are paid more for their ability, but there are men at those camps who are hired primarily because they know how to do things, and because they know how to instruct the boys; be-

cause they know how to inspire; because they have got their character; because through their physical work they can inspire those boys to a better and cleaner life. Now, then, if that is so, what are we gaining for the cause of clean sport, for the cause of good character, for the cause of high ideals, by laying down a general rule which will be very sweeping, which will say that none of those men who go to those camps and help those boys and instruct shall be allowed to compete in amateur sport hereafter? I believe that you have got to leave that thing to work itself out. I believe we are almost ripe on the question. The colleges are ripe to take some definite action. I think the colleges will handle this question of the summer camp. I think during the next two or three years that you will see men very careful about going to summer camps. I think that if an athlete from Princeton wanted to go to a summer camp and instruct there, that his proper course would be to go to the authorities of his college and say, "Here is the program; here is what I would like to do; I would like to have your permission." Have them look the situation over and say that he is not going there primarily because there is a lot of money in it; that he is going there because he wants to make something in the summer. He would be working at something else, but if they say it is all right for him to go, I do not believe that you ought to say that Harvard, Yale and Rutgers, and all of the other colleges ought to bar that man from competition with them. I will confess I have not worked out any definite rule. All I am up here at this particular moment to say is this, that I do not believe that this body here, covering so many lines of sports, covering so many different lines of endeavor, covering so many different interests, with different problems before it, ought to make any sweeping rule which colleges and institutions who have a very high ideal, would want to move to it, but would not, as they can see no great harm in some of these things. Now, just a word here with reference to that. We, in the east, are apt to look at the ideals set up first by the Amateur Athletic Union. Secondly, we are apt to look to the ideals set up by the leading colleges. Now, men can go to a great many small colleges throughout the east and throughout the west, and do things in

athletics in the summer and at other times that they cannot do at Harvard, at Yale, at Princeton, at Chicago, and the colleges in the Conference, because they are more carefully inspected and they are more carefully watched, and they have led the way, so that you are considering not only these colleges where the eligibility rules are high, but you are considering the colleges in Maine, you are considering the colleges in Texas, and there is not a man connected in college work here who cannot point out half a dozen colleges where they are gradually moving along. They are just trailing behind the larger institutions. Their rules of eligibility are not first-class, but through those college associations the faculties of our colleges of this country are beginning to understand amateur ideals. They are beginning to understand what we are all driving at, in trying to make cleaner and better sport and cut out this proselyting and all that sort of thing. That has been the bane of our under college spirit, and while these rules may be the very rules some day we want to adopt, I believe we want to go slowly in putting on our books and in our recommendations some of these rules that we do not believe can be lived up to. Now, there are a great many men who believe in prohibition. They say that the drinking of rum is a curse and it is a bad thing, but they say, "We are not voting for prohibition in the State of New York yet, because we do not believe it is practicable." Now, I don't believe that it is wise for us to make a rule that will prevent some of these things that are going on now. I believe that it is a question that we want to think over a good deal. I do not know how I feel; frankly, I don't know how I feel about the summer camp question. I can name five camps where I say those men ought to be barred from competition, the men who are instructing there. I can name ten others where I think it is all right. They ought to be allowed to compete. As Judge Weeks says, I think when a camp sends out word all over the country that they have got the Captain of the Harvard team, or the Captain of the Yale or Cornell team as one of their instructors, and he allows his name to go out all over the country and asks boys there on that account, I think that is a very doubtful question.

I haven't said half of what I want to, but I hope I have given you the idea that I have. We are dealing with a lot of different elements. We are dealing with colleges like Harvard, Princeton and Yale, which I think are working out a very good solution of these problems. We are dealing with Y. M. C. A. organizations and the problem of the men leading those organizations is not the problem of the college man.

Those men are reaching down, just as well as they can, to the lowest boy in New York, Chicago, Boston and every other city and they are trying to lead him up and bring him out and they are giving him wholesome influence, and they are leading men in the right way and I hope that we shall go slowly on these matters (applause).

MR. PERRY: Mr. Chairman, some of the discussion on this particular point involving summer camps has seemed to proceed on the assumption that the normal duties of a counsellor to summer camps more or less nearly approached those of an athletic coach. Now, my experience with summer camps dates back twelve or fifteen years. That was not the case at all at that time, so that at this time, in order that we may proceed with some knowledge of the facts, I should like to ask one of the gentlemen who knows about it, to tell us what are the normal, usual duties of a counsellor at a decent summer camp at the present time. I think Dr. McCurdy knows as much about it as anyone else.

DR. MCCURDY: I know some things about it. It seems to me, Mr. Chairman and gentlemen, that there are two types of summer camps. The first type where it is a tutoring camp, pure and simple, with the recreative facilities. In those camps men are selected, some of them primarily because they are good tutors. They are also selected because they can help in athletics as a rule. There is another group of camps and a very large number, where there is no tutoring done at all, unless the boy particularly asks or his parents ask for tutoring. They are there to give them a good recreative life and in those the men are selected—the teachers to look after the activity of the boys, and they are practically the coaches of those boys in their baseball team and in their intramural sport, if I may

use the term, for the boys' camp, where the boys are divided up in various groups. So in the boys' camp there are those two groups, and I think the group that is devoting its labors to the physical life is an increasing group, a very considerable group.

I have been trying to face the facts since the other meeting of this problem, as properly as I could from the standpoint of the Playground Association which I represent, and from the standpoint of college competition in which I am deeply interested. I believe that we all agreed that we ought to develop and increase the cleanness of the amateur sport. There is no question about that. There may be some question of the means of doing it, and I tried to face some of the facts which seemed to me to be outstanding. First, the assumption that men who teach or coach have an unfair advantage over all others, it seems to me is a false assumption. The playground teachers, the camp counsellors who are doing that sort of thing, do not, it seems to me, and it is an incidental thing during the summer. If any real advantage, it is a real disadvantage in many cases. I have had to do with coaching of men who have returned in the fall, for 25 years, and I consider it a real disadvantage for men, particularly on the playground who come back. The men of wealth who can devote the entire summer to preparation have the greater advantage, and if you want to consider that in a practical way, look at the court tennis champion, Jay Gould. Look at the tennis champions. Look at the golf champions. They are represented by men who are devoting large amounts of time that put them out of the group of the ordinary man who devotes his time to doing some teaching in the boys' camp in the summertime or on the playground. Then from the next standpoint there are other rewards that are given that have not been covered here at all, and I do not know they can be covered. I simply mention it to show the necessary detail that would have to be gone into if we are going to cover it fully. Some of the other rewards are the scholarships that are given. Some man of wealth gives a scholarship to educational institutions for athletes. They are reserved for them alone. Others find

it very easy to get a scholarship for an athlete and the Athletic Committee does not hesitate to go to the faculty and say "I want a scholarship for this man." Now, they are not going to that Committee and asking for a scholarship for that man, because they have sort of an idea he is an A-1 man in scholarship. They are asking for it because he is an athlete. Then the boarding house privileges and the privilege of his getting out because he is an athlete. Then the Sunday jobs, and I am not talking about generalizations. I am talking and could give specific cases of men that I know who are doing those sort of things. Then, where the wealthy alumnus put the men through college, because they are athletes and would drop them if they were not athletes, or as soon as they fell below par. These are some of the facts that I try to face personally.

The third point, the development of mass athletics on the playground, in summer camps and the intramural sport in the colleges call for labor, that is, if we are really going to develop amateur sport. The present and suggested rules for amateur sports for the most tend to hinder the development of amateur sports for the mass and tend to restrict athletics to the highly specialized few. I am interested in seeing the mass athletics on the playground, the intramural athletics in the college developed. I do not see any possibility of applying it specifically to the college, to develop it as it ought to be, unless we get some help from the athletes who are in the college in doing that sort of thing.

Fourth, the present highly specialized so-called amateur athletics conducted by the colleges are more professional than most of the affiliations the college boys enter into during the summertime. I think that is a fair statement of the facts. Few, if any, professional athletes devote more time or have more money expended on their preparation for contests, than the college teams. Their preparation is essentially the preparation of a professional, in time and money spent upon them. It seems to me that those are facts which we must face and we ought to face them in the drawing up of our rules in ways that shall, without going in as Mr. Garcelon suggested a moment ago—into too much detail—that shall leave us to develop the



spirit of amateurism and actually develop amateur sport for the mass of college students and for the mass of boys on the playgrounds, and I sincerely hope that in the drawing up of these resolutions we can find some way that will stimulate amateur sport, so far as the big number are concerned and not restrict, as I fear the present rules will do.

MR. MERRICK: Mr. Chairman, I should think so far as speaking for the Tennis Association is concerned, you take the case of Mr. Horton who has coached at Harvard, he receives pay. According to this paragraph here he would be a professional. I am sure a tennis player would be considered an amateur and I suppose in golf he would be considered an amateur.

THE CHAIRMAN: This is particularly in response to some of your remarks, Mr. Garcelon. I think we should remember that the present rule makes a professional, calling him thus when he coaches for money. Now, this suggestion is to meet that very considerable class which you have spoken of, those employed in summer camps or tutoring during the summer, or whatever it may be, and that very considerable class which Dr. McCurdy has spoken of, of those who are teaching upon the playgrounds, as he says, where the main purpose of their employment is not as a coach of a baseball team, but merely as a general director, if you wish of athletics, of recreation activities on that playground, or in that summer camp, that that man does not come within the purview of the act declaring him ineligible from amateur competition.

MR. GARCELON: If that were put in, that explanation would be much clearer.

THE CHAIRMAN: That was intended to be, and in my humble judgment is very well stated in the addition—if Mr. Garcelon will listen. I don't know as he wrote it down. "Where such act was not merely as an incident to his main vocation or employment." That is to be inserted to meet those places which we speak of.

MR. GARCELON: May I interrupt right there?

THE CHAIRMAN: Yes.

MR. GARCELON: The trouble is about that that the head of a summer camp engages the man because he is a good athlete, and if he says he doesn't he lies and they will stretch the limit when they are in trouble on a thing like that.

THE CHAIRMAN: That is to permit them to do so, to engage them because they are good athletes. There is nothing herein to prevent that being done. There is nothing that forbids it being done. The point is that there it is a general direction, but if on the other hand they engage you as a coach of a baseball team and for nothing else, then you would be a coach, and do not forget in considering this that the penalty, assuming that these suggestions are adopted—that the penalty which attaches for coaching is a far different penalty than that which now exists. The penalty which now exists is a professional and a professional for all time. Now, the penalty which is suggested is that merely during the period of coaching, assuming that he is an out and out coach and comes within the purview of this clause "C", that merely during the period of coaching is that man disbarred from competing as an amateur, and that after coaching he can immediately compete as an amateur in tennis, or in golf, or in any sport other than the one in which he was the paid coach.

MR. GARCELON: Does that say that?

THE CHAIRMAN: It does certainly. I will read it. When he has committed an act set down in clause C, he is subject to the following penalties or disabilities: "He shall not be permitted during the period of his coaching or training to take part in any amateur competition." That would mean, applying your case with Mr. Horton, during the period of his coaching the Harvard football team, he could not compete as an amateur. It would apply to Mr. George Brook during the period of his coaching the football of the University of Pennsylvania, he should not have been permitted to compete as an amateur in the Amateur Racquet Championship, which he won.

Now, it goes on to say, "On his ceasing to be such coach or trainer he shall be privileged to apply to the governing body of any sport other than that in which such acts of coaching or training were committed, for permission to compete as an ama-

teur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control."

Then it goes on to say that after five years has elapsed, he can compete as an amateur in the sport in which he coached. Here is a trainer of track and field athletes. We will assume that he never competed for money, but was merely paid for coaching that track and field team. When he is through his period of coaching, he can go out and if the Golf Association says, "Yes, you are a good chap, and we believe what you say," they permit him to play as an amateur, or the Lawn Tennis Association or whatever it may be, and then after five years he could go to the Amateur Athletic Union and say, "I have been through with my coaching game for five years. I want to compete as an amateur athlete. I am no champion any longer. I am too old," and the Amateur Athletic Union would have the privilege to say, "Yes, we will take you back." The whole thing, Mr. Garcelon, was based on a desire to modify the present rule, which seems entirely too stringent when applied to the hundreds of college students in which you and I are interested, and with the thousands of playground workers in which Dr. McCurdy and I are interested, and to the many other Y. M. C. A. workers in which Dr. Fisher is interested and on which he is going to say a word right now.

DR. FISHER: In your remark there about the possible reinstatement, you mentioned the specific coach, or the coach for some specific sport. Now, I am beginning to talk of a man who is not related to any specific sport. He is a general director of physical education. Do you make any provision for his reinstatement? I would like to see put in the body of this statement, at the end of it, words something like this:

"During the time of such instruction or preparation," rather than in the later statement. I would like also to see the word "exercise" cut out of there. I am related to about three thousand volunteer fellows all over this country, who are giving

from a night or two a week to groups of boys, some exercises. About four hundred thousand boys are affected by those three thousand volunteers. A few among the volunteers get a dollar here or two dollars there. In fact, we often think it would be a good thing to give the young fellow a dollar or two dollars. They don't train the boys for competition. They give them exercise. Why in the world disbar them except during the time of their instruction. We are perfectly willing that they shall then, but a lot of those young fellows who are athletes in addition, incidentally are fearful of taking up this work. A lot of them do not take it up, because they say, "Don't you see when we go to a school or college, we no longer may compete." Now, if you will just say, during the period of their instruction or preparation, and cut out the word "exercise" there it seems to me it makes it a heap easier for some of us.

MR. MERRICK: I have an amendment to that section CC, first paragraph.

THE CHAIRMAN: State it now.

MR. MERRICK: "He shall not be permitted during the period of his coaching or training to take part in any amateur competition in the particular sport in which he is so engaged as coach." I mean I don't see any point in the fact that a man is coaching a football team and he wants to play an amateur in a tennis game, if he is an amateur in that particular branch of sport, I can see no reason why he should not be next month or the month after. Why bar him now? He probably does not get any exercise at all, so to speak. The same thing in the spring in the baseball coach. He wants to play in some spring tournament at the same time he is coaching a baseball team. Why shouldn't he do it? So if it is in order, I offer that amendment.

THE CHAIRMAN: You have heard the suggestion of the National Lawn Tennis Association.

DR. FISHER: Mr. Chairman?

THE CHAIRMAN: Mr. Fisher.

DR. FISHER: I would like to say a word about the summer camp. As an undergraduate of a large college, I was counsellor at two summer camps, and since graduation I have been

counsellor part of the summer, and in my position as graduate manager of athletics I have probably received from twenty-five to one hundred letters from directors of camps asking me to send men. I will frankly say in no instance has a director ever asked for a tutor. They have always asked for a good athlete. Last summer I had occasion to visit about fifteen summer camps and I had the opportunity of seeing how those camps are directed. Dr. McCurdy has aptly defined the two classes of camps. That is one where tutoring is the main object and the other where recreation is the main object. The second class of camps is divided, I might say, into two separate classes, one in which the camp has no representative team, such as a baseball team, and the other in which they do have a representative team. Now, I will frankly say I am a professional, because I coached the Columbia University Basketball team. Two years ago I went to a camp about two weeks. I played baseball in that camp. There were two Columbia men, two Princeton men, one Brown man, a Cornell man and two or three other college men—in fact, all college men, and while at that camp I played in four or five match games of baseball. That brings up the point of those college men playing with professionals. In my visits this summer that condition arose practically in the majority of cases. I think we have one now where a coach played on a team with Princeton men Yale men and other colleges were represented and we have that condition to face with the summer camp proposition. Mr. Garcelon has said this is a broad question and if we are going to make any drastic rule now, I am afraid we are going to get in considerable trouble. I think as he does and as Dr. McCurdy has said it is a question really which should be up to the university, and I think their rules are strict enough and drastic enough to cover the situation.

THE CHAIRMAN: Unfortunately the colleges cannot govern, except the athletes within their enrollment, and we must, if possible at least, point the way to the end that those in our schools and in our colleges and on our playgrounds must not do that which would affect their competition elsewhere, and that is the reason for these suggestions, and I hope that you

won't ever forget in considering them what I have tried to press home, that this is not a mere drastic rule, but a modification of a present rule which is so drastic that if honestly applied, it would practically disbar everybody from competing as an amateur, and it is an effort towards honesty more than anything else.

DR. RAYCROFT: In trying to think the thing through to its conclusion and relation to a number of conditions, I find, as I understand, this makes it impossible for these men to go to camp and do the work which is under discussion. It also makes it possible for young men to teach in playgrounds for part of the year. I presume it would also make it possible for a young man employed during the day, to coach a basketball team in the evening.

THE CHAIRMAN: It would not.

DR. RAYCROFT: Would it make it possible for a young man, so employed, to teach in a boys' club, gymnastics, where they played basketball and referee the games?

THE CHAIRMAN: It would not.

DR. RAYCROFT: Would it make it possible for a man to engage in business and have anything to do with a playground or settlement, in the way of promoting physical activities for which he received pay?

THE CHAIRMAN: It would, if he had general supervision of it and was not coaching in any specific sport.

DR. RAYCROFT: If he simply generalized?

THE CHAIRMAN: If he were not the coach.

DR. RAYCROFT: Superintendent or physical director.

THE CHAIRMAN: No, no.

DR. RAYCROFT: What is the difference between a physical director and superintendent, when he does the same job?

THE CHAIRMAN: No difference, but as a rule the physical director does not do the same job as the superintendent.

DR. RAYCROFT: He is promoting the gymnastics and play of the boys or young men during the evening, part of his time.

THE CHAIRMAN: Quite true.

DR. RAYCROFT: Now would it affect the physical director of the Young Men's Christian Association, whose duties were al-

most entirely, if not entirely executive? He coaches no teams. He leads no classes. He trains no athletes, but he is a physical director.

THE CHAIRMAN: Then he would certainly be not disbarred.

DR. RAYCROFT: Well, you can easily see that this thing raises a number of other fine haired sporting situations.

THE CHAIRMAN: There is no doubt whatever that in all of the rules there are thousands of marginal cases. Now, it is not the marginal case that legislation is after. It is the cases which are outside of the margin. You can think up a hundred, and I can probably think up a thousand more, but that is not the point and you must dismiss that from consideration. It is trying to lay down broad principles and to base upon it a structure which is a reasonable one. If we applied the rules as they are now, as I have said, I believe that there is not one athlete in a thousand who is eligible, because they have all violated some technicality of our present rules. Now, we are suggesting others which seemed to some of us, at least, more reasonable, and because there are thousands of marginal cases to which they may or may not apply, it does not seem to us to prove that they are unreasonable.

DR. RAYCROFT: The point I wanted to make, Mr. Chairman, was that this thing opens the door. That it will be practically impossible to guard and in addition—

THE CHAIRMAN: Do you believe in the rule as it is now?

DR. RAYCROFT: Personally I do, because it meets the situation and the situation is a bigger one than we see just at first glance. I am rather amused, because without naming it you have established a group of non-competing amateurs.

MR. HERTJBERG: Mr. Chairman and gentlemen: As you know, I am a professional coach, and perhaps you know also I competed for money, so I am not talking for myself at all. I am talking for what I think will be a help to athletics. I would like to see a rule by which a man competing for money is a professional. That is one part of it. Then the coaching and the other part could be dealt with as fitting the case. Say a man who is coaching shall not be allowed to compete. He is not made a professional because he is not really a competing

athlete, but being in a position the same as a man with money, but really different, because that man, in answer to something that was said before, really does learn more, because he is studying all the time and I know for myself that before I left here, I never threw a hammer in my life. When I went to Sweden I had to teach myself how to throw the hammer, and it came very, very readily. Why? Because my mind revolved and the thing came along. Those are the things that make a man who teaches always better than the pupils, always a little ahead of them because of the fact he is teaching. Let us say there is no taint to professionalism. We won't argue that, but why is it necessary to make a coach a professional, who is really not in the same class as a competing or a man giving exhibitions, and I wish you would really take that and study that question out, because I think it is a very important one if you are going to get men that are going to deal with the athletes and force the athletics up to as high a standard as possible.

JUDGE WEEKS: Mr. Chairman, I really think that the suggested addition to subdivision "C", opens a door that no one can tell what is behind it, and I think it has arisen from the fact of an attempt to incorporate into this rule the modification that was permitted under the Federation rule, without really doing it. Now, the Federation rule says one who teaches, trains or coaches in any sport for money or other pecuniary consideration is a professional, except, however, that so far as competition in his own country and there only is concerned. An employee or representative of the State or school, or other educational institution, only limited to those people, who teaches, trains or coaches as an incident to his main vocation or employment may or may not be a professional as the members of the Federation of that association may determine.

THE CHAIRMAN: That does not mean the playground work.

JUDGE WEEKS: No, it certainly does not, and if you are going to add this tail to subdivision "C", I do not know what has become of subdivision "C". I think there is nothing left of it.

THE CHAIRMAN: I beg your pardon, Judge Weeks. Subdivision "C". Take a man employed to coach a football team.

JUDGE WEEKS: What does your addition read, "By directly or indirectly receiving pay or financial benefits in consideration of or as a reward for instructing or preparing any person in or for any athletic competition, exhibition or exercise where such act"—now, what are—

THE CHAIRMAN: Acts of training, coaching or instruction.

JUDGE WEEKS: Such act of instructing or preparing was not merely as an incident to his main vocation or employment. Now, I may be very obtuse, but I don't understand what that means.

THE CHAIRMAN: It certainly does not exempt a man who is employed to coach a team, baseball or basketball team, or football team, or whatever it may be.

JUDGE WEEKS: Why is not that merely an incident to his main vocation or employment?

THE CHAIRMAN: His main employment was to coach.

JUDGE WEEKS: What you mean to say is where such act was not an act connected with his main employment, vocation or employment.

THE CHAIRMAN: If that expresses the meaning more clearly, certainly the language should not be a stumbling block.

JUDGE WEEKS: What is the almost inevitable result of putting such a clause in your rule?

THE CHAIRMAN: That some smart "Alecs" are going to try to beat it.

JUDGE WEEKS: Absolutely, and you will find all sorts of devices to enable people to beat the rule. Now, if you are going to make a rule with opportunity to beat it, then you are not going to accomplish very much good. It is very much better, it seems to me, to have your rule broad and general, as you did before you put this tail to it and say by directly or indirectly receiving pay, and then let the question come up and be determined whether he was receiving back pay, either directly or indirectly for doing it, and not have some clause tacked on there that gives people an excuse for getting out—not show them the way to get out. Not advertise right in your rule that you cannot employ this man as a coach, but if you are willing to employ him to lecture once a week on mythology,

he can then come around to your settlement or some other place once a week and lecture on mythology, and because he likes the atmosphere so well around there, he can come around every other night in the week and amuse himself in your gymnasium, and the next thing have the boys see him come out and do hand-springs and do the flying rings. He is employed by us not at all. He has not anything to do with it, but we pay him \$25 a week to lecture on mythology and he only comes there once a week, and the other nights he is there it is a mere incident. He is not doing anything at all.

THE CHAIRMAN: There is no doubt whatever—

JUDGE WEEKS: I think when you add that to your rule, you weaken your rule and you don't really accomplish any good.

DR. RAYCROFT: Mr. Chairman, it seems to me that there is a consideration here which has not been formulated. Possibly it would help to make clear some of the points and its very complicated effects. Shouldn't there be a distinction made between the man who tutors an individual or group, or who works in a summer camp in the direction of improving the individual or group's general, physical and educational development, although that may apply to teaching and coaching in games, and the man who teaches or coaches an individual or group for contests? It seems to me there is a very marked difference there which will help a little bit in drawing the line between the man in the summer camp and the man in the playground, and the man who is coaching a specific group or specific team for a definite contest.

THE CHAIRMAN: Dr. Raycroft, just in that regard don't lose sight of the point which Mr. Fisher so well made, that in almost every summer camp and in almost every playground, for that matter, this general instructor or whatever you want to call him, is coaching a team for a contest with some other camp, with some other playground, with some other group, so that it is going to be extremely difficult, if not impossible to draw the line, which would be very nice to draw if we could.

DR. RAYCROFT: Of course, Mr. Chairman, we have the same general situation in deciding whether or not a college student may or may not take part in summer ball. Our rules in many places are to the effect that a student is permitted to play summer ball on his home team, or the place where he is spending his vacation, providing he don't get remuneration. You have to make a distinction between that kind and semi-professional ball. It is not easy to formulate these things.

JUDGE WEEKS: Mr. Chairman, if I may make a suggestion, if it were possible for any statement to be formulated as a general proposition that would not be open to serious objection, then I think we could make some headway on this nebulous playground leader and summer camp proposition, if you could get it in some way. Now, they did it in the Federation by limiting it to the officials of the State or the official of an educational institution who did that incidentally to his other position. Now, is it possible to formulate it in any way that the penalty or the disqualification for training or coaching should not apply where the instruction is given exclusively in class or for group work, and not directed to any preparation for competition? I do not know that I have got anywhere near a statement of it, but something along that line.

MR. ADLER: Mr. Chairman and gentlemen, in regard to what Mr. Garcelon has said and others have said, it was pointed out that a student is engaged for a summer camp, not because he is a good student or good teacher, but because he is a good athlete. It might be fair to take a specific case, and I should choose to take three names so well known that the owners of those names must be callous to having their cases brought up. Let us take Captain Mahan of Harvard and Captain Wilson of Yale and Captain Glick of Princeton. Let us suppose as a hypothesis—I do not know that it is the case—that those gentlemen are asked to go to certain summer camps, all three of them to the same, or one to this or the other. On the face of it, it looks as if they were asked because they are athletes, but when you go a little below the surface, is it not true the reason those men are selected is because they are men of such character, men of such morals, men of such leadership that you or

I would like our boys to be associated with them? It is true that they have earned fame in athletics, because athletics seems to be the one way in which college fame is most likely to be earned. On the other hand, if those men are athletes and nothing but athletes, how then does it happen that within two or three days after their graduation in college, those men can go out and receive and fill satisfactorily, as case after case has proven, posts of high and great responsibility? It seems to me that in actual effect what we have seen is the surface and underneath it is the man. It does not seem to me to make any difference if they are engaged because they are athletes, the real effect is educational. Now, it seems to me we are losing time for this reason: You or I see in track and field athletics all kinds of athletes, because why? Because we read the accounts that often appear in some newspapers, because we know little about the game, but when you go into that game as I have myself, you soon find out that the governing bodies are competent, honest and experienced. You have confidence in them. Let us see, in playground work, merely a pleasant place for a young man who wants to get into competition, to live out of doors and enjoy himself, but when you live next to a man who is engaged in that work, as I have done year after year, and see the man supervising 3,000 boys, women and children at play, where it is absolutely out of the question for them to enter into the game and where the nervous strain is probably greater than at the head of any manufacturing or law or other concern, then you realize that the playground worker is in spirit an amateur—sometimes professional, sometimes an amateur. Therefore, I say what Judge Weeks has said is true, but passing such a clause as this we are opening a door, but at that door stands the guardian of each sport, and each sport I think ought to have good choosers of their representatives, and that those representatives are qualified to decide in the individual, group and class cases whether a man should come under the qualification. I can illustrate briefly by something that happened to-day. Coming up to New York on the train, I was in company of two gentlemen, one from New York, one from Philadelphia. They met a friend of theirs who was a prominent leader in New

Jersey, and as is the custom, they began to make game of him, and one of them suggested to the other, "I think, Bob," he said, "we ought to divide the State of New Jersey into two parts, and that Pennsylvania ought to get the southern part and that New York ought to get the northern part. In that case we could get our friend here to run for Governor of New Jersey." "Well," said he, quick as a flash, "if I ran for Governor of New Jersey I would only get one vote, but if I ran on that platform I would not get one vote at all." It seems to me what we are doing here is to take the southern half of the major and move it back over to the minor side. Mr. Chairman, I move the adoption of this clause as it stands.

MR. REGINALD CROFTON: I am a member of the A. A. U. and I have given this thing a great deal of attention, long before I ever knew there was going to be a convention of this nature. Now, I have got an opportunity to get here and am here, and I want to make my views known. I think they probably will contain a few suggestions. Now, I feel that if the Amateur Athletic Union makes any exception in regard to professionalism, I think that it is going to be unworthy of its name. After a few years study I am compelled to say that on these grounds, because professionalism is not organized in this country, and if you let a man jump from amateurism to professionalism and back into amateurism again, and only inflict a penalty on him for jumping from the amateurism into the professionalism, and the professionals not being organized, no penalty is inflicted on that side, he is going—to use a very slangy and perhaps loud phrase—he and all such people who do that jumping are going to "make a bum" out of the A. A. U., because there is no organization, as I said, on the other side. Now, if the professionals of this country were solidly organized, and when a man jumped from the amateur ranks into the professional, cognizance was taken of that and records were made on books of the amateurs he had left, for two months or whatever it was, and the professionals made record of the fact that he had come into their ranks, and each side had a penalty—a time penalty—for instance, he jumped from the amateur ranks into the professional ranks and the professional ranks

let him go on back into the amateur ranks for two years. For instance, he jumped from the professionals into the amateurs and the rule reads he cannot go back to the professionals for two years, then I would think it would be a fair thing to both sides, but as you people are situated, you are going to be at a disadvantage. The professional elements—the professionals of the country who are not organized, are going to take advantage of you. We are going to be corrupted by virtue of the rule you make, if you have an exception of that kind. I would rather see, regardless of how much penalty it carries to poor struggling athletes who have no ability—I would rather see the A. A. U. die its death than to see it made a "bum" out of by professionalism.

MR. BALL: I would just like to call the attention of the gentlemen to pages 69 and 70, where it tells you the definition of a non-competing amateur, and in doing so I would just like to make this statement. This paragraph was really argument. It is a full page, is the result of three years study of this very subject, on the part of the leading physical educators of this country, not all of them, but very representative men. It is their solution of this difficult thing and I have not heard anything here to-night that leads me to believe there is any better solution before us.

THE CHAIRMAN: It is very largely a question of name, Mr. Ball, and we all agree it does not make any difference. I will call for Mr. Garcelon.

DR. GARCELON: I promise this time will be my last word. Of course the Amateur Athletic Union can make such rules as it pleases to govern competition and prevent men who violate any rule that they may have, from competing. The same is true of the Intercollegiate Association. The same is true of any college league. The same is true of the Y. M. C. A. We are trying to get together, because we are in doubt, and because it is difficult to settle this question and I was wondering on this question as to summer camps and all these various lines of coaching whether this would cover the situation. As I understand the amendment it says, "except when such act was merely an incident to his usual vocation or employment," and

if we add the words, "such exceptions to be determined by the governing bodies of the separate sports," then the Amateur Athletic Union, of course, could say the man who coaches in a summer camp cannot play in our games. The colleges could say he can play in ours. Now, as a matter of fact, if any separate institution thinks that any of these rules are going to the vitals of that institution, are going to hurt it, they are going to stick to their old rule. They are not going to follow this and I do not believe you can advance much further than that, and I would add I agree with the gentlemen representing the Tennis Association in reference to his amendment to CC.

THE CHAIRMAN: I was going to suggest, Mr. Garcelon, that at this point, and as I have no doubt, the others will follow in due course that we take up, after deciding what we shall do with C, the penalty. Now, therefore, your suggestion is that you add there the definition, or the interpretation of what acts constitute those incident to his main vocation or employment be construed by the organization.

DR. GARCELON: By the governing bodies of the separate sports. Now, we all won't agree at the end of a year, but at the end of two years we will be much nearer together.

THE CHAIRMAN: That means the A. A. U. might say that that man in our opinion has violated article C, and therefore, he cannot compete while doing this coaching, and that the I. C. A. A. A. can say he does not violate it and permit him to compete?

DR. GARCELON: Exactly.

THE CHAIRMAN: But that the A. A. U. and I. C. A. A. A. would merely have a friendly disagreement and not a disruption by reason of the articles alone which exist between them. What does the A. A. U. think about that?

DR. GARCELON: My idea is that at the end of two or three years, if these conferences continue, we would get nearer together and come pretty near unanimity.

THE CHAIRMAN: Judge Weeks, how does that seem to you?

JUDGE WEEKS: Personally I am in favor of leaving the whole matter to be disposed of by the Board indirectly, and not

add another clause about an incident to the main vocation or employment.

THE CHAIRMAN: Indirectly has been so generally construed to mean method of receiving the compensation, method of payment. In other words, whether the man is paid the money in his hand or whether it is a ten dollar bill slipped between the leaves of a bible, and while you are quite right technically, the practice for so many years has been such that I fear it will not carry you to the same conclusion which you had in your mind, and that, therefore, the explanatory clause is advisable. Would you be willing to accept the explanatory clause, with the addition as suggested by Mr. Garcelon?

JUDGE WEEKS: I think not.

THE CHAIRMAN: Dr. Phillips, I have been trying to indicate to you I wanted you to get on your feet.

DR. PHILLIPS: I do not know as it is worth while, but I arise to say that I like the rule as it is amended by us to-day, not approved, but amended. I think we all agree that there are a lot of boys in summer camps who by the rule as printed, would get a bit of injustice done. I have a boy in that class myself. There are a lot of boys in all of the sports of amateurism who are perfectly eligible to compete in any, amateur ranks in the world, and simply because they have played tennis and baseball and want to go back there next summer, it does not seem it would be fair to make them ineligible. On the other hand, there are a lot of other boys too, but it does seem to me it is legislatively safe for us to pass that rule as amended, and it does not seem to me it emasculates it, as has been stated here. If we leave it in this broad way, with fairness to the boy in the summer camp or on the playground or elsewhere, it seems to me we have left it in good shape, and if we meddle with it much longer we will get it in such shape that we will not know, any of us, anything about it. I would like to second that motion Mr. Adler made.

JUDGE WEEKS: Won't this read clear instead of saying "where such act was not so", "except where such act was merely"?



THE CHAIRMAN: The language as Judge Weeks suggested is a great improvement upon that as was given by the Chairman of the meeting, "except where such act was merely".

JUDGE WEEKS: Strike out the words, "as an incident to his main vocation or employment".

THE CHAIRMAN: Then adding Mr. Garcelon's statement as to each body governing sport, to have the power of interpretation thereof.

DR. MCCURDY: May I raise a specific illustration to see if this covers it, one that came to me within the year? A boy went to college or was planning on going to college and the director there, because he had shown some natural ability wanted him to help in some of the classes, that is simply as a squad leader, and he said, "I can fix it in two or three different ways. In the first place, we will say nothing about it. It will raise questions with reference to your amateur standing. That will be one way I could fix it. Another way in which I could fix it, I could get you a scholarship, so that while we give you no direct remuneration, you would have that scholarship in lieu of that. I can fix that with the faculty because of the help you can give in squad leadership." That was the second way that he suggested that the matter might be covered, and it seems to me there are a good many cases just like that, where the college is acquiescent and the boy is brought up in a line of deceit which is unfair to him and unfair to the faculty. He suggested one other. He says, "We have a department of education and I could give you credit for two points towards your degree, because that teaching would really be practice teaching." Now, those are the three different practical ways of getting that boy to do things that he was qualified to do, and it seems to me somehow a boy who is in college, who helped in the department of intramural sport ought not to have too many technicalities drawn around him to prevent him, because practically those of us who have followed it very closely know they are evaded in many cases, and it tends to the development of dishonesty and deceit, which is unfortunate in a college man.

DR. FISHER: Mr. Chairman, it is growing late. We have got other things to consider. Even if we cannot agree on this

proposition, we have done something already. I move you the question.

THE CHAIRMAN: The question has been called for, but before putting this to a vote, we are trying to get together on this and I believe we are together or very nearly together, and after we have had a vote on this, we will take up the matter of the penalties.

Now, the suggestion of Judge Weeks as to the change of that language seems to me to clarify the entire atmosphere, and the suggestion of Mr. Garcelon in regard to the power of interpretation of the various bodies, takes us out of any grave danger, and we must not forget that we are not ruling for anybody. We are merely making a suggestion which they may take or leave, and if we will pass this now as amended by Judge Weeks, with the paragraph of Mr. Garcelon, the effect is that the various governing bodies shall have the power of interpreting what the exceptions are.

DR. GARCELON: May I read it?

THE CHAIRMAN: Yes, Mr. Garcelon will read it.

DR. GARCELON: I will read the first amendment as I understand it. "Except where such act was merely as an incident to his usual vocation or employment."

JUDGE WEEKS: Strike out the "as".

THE CHAIRMAN: "Except where such act was merely an incident."

DR. GARCELON: "To his usual vocation or employment", and I have added "such exceptions to be determined by the governing bodies of the separate sports".

THE CHAIRMAN: Now, gentlemen, are you ready for the question? The question is called for. All those in favor of adopting this recommendation to the various bodies governing sports will signify by saying aye, including Judge Weeks' amendment and Dr. Garcelon's further paragraph.

JUDGE WEEKS: My amendment is only concerning the word "except".

THE CHAIRMAN: All those in favor will signify by saying aye; contrary, no.

(All present voted aye, with the exception of Judge Weeks.)

JUDGE WEEKS: No.

THE CHAIRMAN: Judge Weeks votes no.

Do I understand that Judge Weeks is in favor of paragraph "C"?

JUDGE WEEKS: Without amendment.

THE CHAIRMAN: In other words, Judge Weeks is in favor of paragraph "C", as printed?

JUDGE WEEKS: Yes.

THE CHAIRMAN: But is not in favor of the modification thereof.

Now then, coming to the penalties for C, if you will turn to that CC:

"One who has committed an act set down in Clause C is subject to the following penalties or disabilities:

"He shall not be permitted during the period of his coaching or training to take part in any amateur competition.

"On his ceasing to be such coach or trainer he shall be privileged to apply to the governing body of any sport other than that in which such act of coaching or training was committed for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control."

At the last Tennis Association an amendment was suggested thereto, "In the particular sport in which he is a coach—in which he is engaged as coach."

MR. MERRICK: I so move that.

THE CHAIRMAN: What is your pleasure in regard to that? That means, for example, Mr. Horton, assuming he is not guilty of any other violation, can play as an amateur in tennis or in golf, or track and field or whatever it may be.

DR. GARCELON: If the governing bodies of those boards approve that.

THE CHAIRMAN: It is merely a recommendation, that is all.

DR. RAYCROFT: If Mr. Horton were an undergraduate, and were clever enough to be employed as the coach of the Harvard football team, does not it mean, unless some serious objection were raised, he might compete for Harvard on the track team or baseball team? In other words, haven't we got to make a distinction between those institutions or organizations which control a considerable number of sports and those organizations which devote themselves particularly to the promotion of one sport, such as the Tennis or Golf Association? There is a point there to be cleared up.

THE CHAIRMAN: Personally I feel very strongly that a man while he is a coach should not take part in any competition. If he says, "I am through with it", makes a declaration of intention to that effect, I believe yes.

JUDGE WEEKS: As a practical illustration, raised in the case of George Brook last winter. He was the professional coach of his football team, University of Pennsylvania, and won the racquet championship.

DR. RAYCROFT: Would Judge Weeks agree, if he were an undergraduate in Columbia, let us say, to permit Mr. Brook if he were an undergraduate in Pennsylvania, and still were coaching the football team, to have him play on the baseball team against Columbia? Would he like that? Would that be good sport?

MR. MERRICK: I would ask the gentleman if there is any such case ever happened?

JUDGE WEEKS: That case has actually happened.

THE CHAIRMAN: It has not happened, because today it is forbidden. Today, sir, when a man coaches for money he becomes a professional and stays so. This modification permits him to come back in any other sport, other than the one in which he coaches, immediately on his ceasing to coach. It does not say he shall come back, but it says the body governing that sport shall have the permission to have him come back. Under the rules that exist today, in the case you bring up, that of Mr. Horton, he could never compete as an amateur in track and field athletics. For example, here is George Foster San-

ford, who we will assume never competed for money. George Foster Sanford made application to the American Athletic Union for reinstatement, and had it not been that he coached the Columbia football team, he would probably have been reinstated, but inasmuch as he was a professional coach, he cannot be reinstated.

DR. GARCELON: Would not every case have to be determined on its merits?

THE CHAIRMAN: It would.

MR. MOCKLER: May I ask whether that permission goes down so low as the organization of a college or a particular club.

THE CHAIRMAN: If that is the governing body of that sport.

JUDGE WEEKS: I hope that nothing Dr. Raycroft said would lead anyone to believe I am in favor of the amendment. I am in favor of the rule or the penalty, as printed.

THE CHAIRMAN: It seems to me that this is the case of a few who may be suffering for the benefit of the many, but it is for you gentlemen to express your opinion. As the rule is, as printed, it means that during the period of his coaching he shall not be permitted to take part in any amateur competition.

JUDGE WEEKS: May I inquire, Mr. Chairman, of our friend from the Lawn Tennis Association, whether the Lawn Tennis Association controls—attempts to control court tennis?

MR. MERRICK: No.

JUDGE WEEKS: Now, then, an amateur could coach in court tennis and while he was coaching in court tennis, you would want the privilege of allowing him to compete as an amateur in lawn tennis.

MR. MERRICK: I understand from the wording of "C" that that would be left to our discretion, whether we allowed that or not.

JUDGE WEEKS: No, the rule as proposed is that while a man is coaching and taking money for coaching, he shall not be allowed to compete as an amateur in any branch of sport whatever. The next question is how soon you should relieve him of

that. We may not all agree, but I hardly think that your Association wants to admit a man to competition.

MR. MERRICK: A good many of the tennis professionals in summer time are court tennis professionals in the winter time. That is the way it goes. We have no very close rule. I mean the distinction of the professional and amateur in our sport is very, very wide. I mean we know them all and it is not even close. They are paid and recognized as professionals and there is no close line in the sport at the present time. People like Gordon and men that we all know and respect, who are taking money and coaching in some specific sport that we would be very glad to play tennis with and welcome them to our ranks as an amateur, and as I said before in cases of that kind, I don't want to hold up this meeting in any way and I will be glad to accept the point of Judge Weeks and let the thing go through, but if it were possible to bring it about, I would like to bring it about so that men of that calibre could play in tennis.

DR. GARCELON: I understand they can now. That is the Tennis Association admits them.

THE CHAIRMAN: They can, but if they did that would be going contrary to a suggestion from this meeting.

Now, gentlemen, the recommendation is first on the amendment which would permit a man during his period of coaching to compete as an amateur in any sport, other than the one in which he is coaching. That is the Lawn Tennis Association suggestion. Are you ready for that question?

DR. GARCELON: I would like to offer an amendment to that, if the gentlemen will accept it, adding the words "Upon the vote of the governing body of the sport in which he is to compete."

JUDGE WEEKS: Do you want to recommend that?

THE CHAIRMAN: I do not think the amendment is going to go through.

MR. BALL: May I ask if this amendment was seconded?

THE CHAIRMAN: It was not. We have the original question. The recommendation is that one shall not be permitted, during the period of his coaching or training to take part in any

amateur competition. All those in favor of this will signify by saying aye, contrary minded no.

It seems to be unanimously carried.

The next proposed recommendation is:

"On his ceasing to be such coach or trainer he shall be privileged to apply to the governing body of any sport other than that in which such act of coaching or training was committed for permission to compete as an amateur in that sport, and such body or bodies (because he might want to compete in more than one sport), upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control."

JUDGE WEEKS: Assurances being given by the applicant of his intention to refrain from the future commission of any act.

THE CHAIRMAN: Of his intention to refrain from the commission of any act which would disbar him from competition.

MR. MERRICK: I would like to draw attention to the fact that this raises an administrative problem for which no solution appears in the statement. The Tennis Association is supposed to control tennis. Now, then, suppose a case arises in respect to a person who has been a professional, or has violated a rule of basketball, and desires later to compete as an amateur in tennis, in college. Does this mean that he must apply to the Tennis Association for reinstatement as an amateur in tennis, in order that he may represent his college in competition against another college in tennis?

THE CHAIRMAN: If it is an administrative act.

MR. MERRICK: The point is that the Associations controlling sports really relate to adult organizations, and they relate to the regulation of those sports entirely outside of educational institutions.

THE CHAIRMAN: The various bodies controlling sports. I will give you a better illustration. Here is a man who has coached a baseball team for money and he wants to take part in track and field athletics. Now, if he is in college and is

going to compete merely in college sports, he would apply to the I. C. A. A. A. A., if it were in a competition under the jurisdiction of the I. C. A. A. A. A. If, on the contrary, he wishes to compete in an outside competition, he would apply not to the I. C. A. A. A. A., but to the Amateur Athletic Union.

JUDGE WEEKS: Suppose he was a baseball coach before he came to college, and that he wanted to play on a college baseball team, what would happen to him? No place for him to get reinstated?

THE CHAIRMAN: That, Judge Weeks, is not the reinstatement clause we have.

DR. GARCELON: At most of the large colleges he would not ever play again for that college, if he had taken money for any sport.

THE CHAIRMAN: That is quite true. Now, if it were that there was no organization other than his college governing the competition, he would apply to his college. He could not help but do that.

MR. MERRICK: Would he not apply to his college anyway?

THE CHAIRMAN: No, no. If he was going to take part in the dual or annual meet of the I. C. A. A. A. A. he would have to apply to the I. C. A. A. A. A. What his college said would make no difference.

MR. MERRICK: Not the institution which is controlling the sport. Your Lawn Tennis Association is supposed to control lawn tennis, to make the rules. The only point is distinction has got to be made, if this applies as you stated it. To pursue your own illustration a little bit further, suppose he is a professional, as we have indicated, in any particular sport, and then wants under the rules of the I. C. A. A. A. A. to compete in track athletics. He applies to the I. C. A. A. A. A. for his reinstatement. Say he may do so. He has participated in the spring and he wants to play a few games in the summertime. Would he also have to be reinstated by that body?

THE CHAIRMAN: He would.

MR. MERRICK: Suppose they do not reinstate him. If so, he is a professional. Their rules require that an amateur who had competed with a professional, becomes thereby a professional

or ineligible as an amateur. That means that this man whom you reinstate in the I. C. A. A. A. as an amateur track man, is still recognized by the A. A. U. as a professional and every man that competes with him in the I. C. A. A. A. National Championship would become a professional.

THE CHAIRMAN: That is beautiful argumentation, but it does not lead you anywhere. Now, for example, the A. A. U. today might declare a man a professional on the ground of running for money, and were it not for the alliance between the I. C. A. A. A. and the A. A. U., you could say, "No, that man is not a professional", and permit him to compete as an amateur. That danger always exists and always will exist, until the governing bodies, either by general agreement or by allowance say they will recognize the rulings of each other on grounds which they have in common.

MR. MERRICK: I move that this section be adopted, with the words "upon assurances being given by the applicant", "No future violation of any act" stricken out. I think by reading this thing in, you are reading it in total. I think you ought to put all of the detail up to the various governing boards. They can make their allowances.

THE CHAIRMAN: That is not detail. That goes to the fundamental of whether or not you are going to let a man in who you know next year is going to coach again. That is just as fundamental as anything possibly can be. In other words, if you do not put that in, it means that you are recommending a man who was a coach yesterday, is not today, but is tomorrow, to compete as an amateur.

MR. MERRICK: He can give assurance today that he will be a coach tomorrow.

THE CHAIRMAN: But then he has violated his given word.

MR. MERRICK: I should think we should try to cut out all of the details possible.

THE CHAIRMAN: That is not detail.

JUDGE WEEKS: There is not any harm in leaving that in. In other words, a man who coaches in a winter sport should not go to the Tennis Association in June and ask, "Please reinstate me; I have stopped coaching". They reinstate him.

He plays amateur tennis all summer, comes back in November and coaches again. Next summer he comes to you and you reinstate him again.

MR. MERRICK: Why not do that in your first paragraph?

JUDGE WEEKS: We want it fixed to say when he comes and asks to be reinstated, that he shall tell you, "Now, I am going to quit coaching".

MR. MERRICK: Why should he?

JUDGE WEEKS: Given by the applicant of his intention to refrain from the commission of any act. We do not believe that a man should be an amateur six months in the year and a professional six months in the year.

DR. GARCELON: You have left it so he might change his intention, without violating his word.

JUDGE WEEKS: No, because that is giving assurance of his intention. To make it broader, upon assurances being given by the applicant that he will refrain in future from the commission of any act which would.

THE CHAIRMAN: Gentlemen, are you ready for the question on this?

DR. FISHER: Question.

THE CHAIRMAN: All in favor of the adoption of the recommendation as embodied in the paragraph commencing: "On his ceasing to be", and so on, as amended by Judge Weeks, will signify by saying aye, contrary minded no.

It seems to be carried. It is carried.

Now, the next paragraph reads:

"After a period of five years has elapsed since the commission of any such act he shall be privileged to apply to the governing body of the sport in which such act was committed for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant"—

the language of Judge Weeks, instead of that here set down—

"it shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control."

That is identical with the previous paragraph, with the exception that it sets up a period of five years between the period of coaching and the time when he may make application.

DR. FISHER: I move its adoption.

THE CHAIRMAN: All those in favor will signify by saying aye, contrary minded no.

(All present voted aye, with the exception of Judge Weeks.)

JUDGE WEEKS: No.

THE CHAIRMAN: Judge Weeks votes no. Will Judge Weeks, on behalf of the Amateur Athletic Union, state his reason.

JUDGE WEEKS: Because I do not believe that a man who has coached for money should ever be reinstated in the sport in which he has coached.

THE CHAIRMAN: Now, you understand, gentlemen, what that means. That permits, for example, we will assume that Bernie Wefers, who is the coach of the Columbia Track Team, has never competed for money, and that today he ceases coaching the track team and that five years from now he desires to compete as an amateur; makes application to the Amateur Athletic Union—

MR. BETTS: In other words, Mr. Chairman, it wipes out the general rule "Once a professional always a professional"?

THE CHAIRMAN: It is the difference between a man who coaches for money and the man who competes for money.

JUDGE WEEKS: The rule, if this were adopted, would mean once a professional who has competed for money, always a professional; once a professional who has coached for money five years, a professional—

MR. BETTS: I think that is a very essential distinction. The thing that is at the base of the whole business is the standing of the man with respect to competition, primarily. The man who accepts remuneration in one shape or another for competition, puts an attitude towards sport that is at variance with the aims of amateur sport. It is a rare exception when that is not so. The man who has become a professional, as we term him, through using his talent for the improvement of others in that sport, maintains the amateur sport; is all the

time approaching the amateur sport, doing everything he can to promote it. His presence is not a menace to us. His is not the thing we call professional when we talk about professional sport. The professional sportsman is not the man who is receiving remuneration for teaching, and also the fact that the desire is to protect the competition so that it always may be on a fair basis. The men who have become coaches have not at the end of their coaching period, at the time they quit, desired to get back into competition again; have not made themselves so much better by their competition that their going back to competition places the competition on an unfair basis. I think it is a very desirable distinction to make.

THE CHAIRMAN: You have already voted on the act. I merely felt it was quite proper that the Amateur Athletic Union should, through its spokesman, set upon the record the reason for voting against this permissive power for reinstatement in the sport, after ceasing from coaching for five years. It was a very important matter and I was cognizant of the fact that the Amateur Athletic Union was not in favor of it.

JUDGE WEEKS: May I state also that while I do not vote against the provision permitting application for reinstatement in another branch of sport, I do not believe the Amateur Athletic Union would favor it.

THE CHAIRMAN: To the end that we may clear up these provisions as we go along, I think we should take up the proposed penalties as they attach to articles A and B, and the penalty for A is:

"One who has committed an act set down in Clause A shall never thereafter be permitted to compete or exhibit as an amateur in any sport."

JUDGE WEEKS: I move you the approval of A.

(The motion was duly seconded.)

THE CHAIRMAN: All those in favor signify by saying aye, contrary minded no. It seems to be carried. It is carried.

"BB. One who has committed an act set down in Clause B, is subject to the following penalties or disabilities:

"He shall never thereafter be permitted to compete or exhibit as an amateur in the sport or sports in which such act was committed."

DR. GARCELON: In that, Mr. Chairman, I think the Athletic Research Society had something to say in its explanations. That is there were some trivial, youthful offenses.

THE CHAIRMAN: Don't you think that comes under our pardoning power very well?

DR. GARCELON: Yes, it does.

JUDGE WEEKS: I move you, sir, as an amendment for the first paragraph in the penalties for competing for money, that it be amended as follows:

"He shall never thereafter be permitted to compete or exhibit as an amateur in any sport."

(The motion was duly seconded.)

THE CHAIRMAN: I think, gentlemen, in that regard you want to have before you the fact that at the present time there is a very great prevalence on the part of competition by amateurs, as amateurs, of men who at one time had been professionals in other sports. As pointed out to us by the Golf Association, they permit on such assurances being given, men to compete as amateurs who have been professional ball players. You have to have assurance that there is no desire or intention of their again competing as a professional. A period of time, which they state as five years would be sufficient, must elapse between their last act as a professional and the time of their application.

JUDGE WEEKS: My position is, Mr. Chairman, I think this is the proper rule as a general rule to apply to amateur athletics. Now, there may be certain sports which merely are permissive applicable only to that sport, who would not adopt our recommendation and with their feelings in that regard I have no desire to complain—to find fault.

THE CHAIRMAN: Would it not, therefore, be better to pass the suggestions as set down herein which merely are permissive ones, and then have the Amateur Athletic Union, which I am confident is never going to let in as an amateur one who in any

sport has competed for money, to so state. This is merely a direction—a suggestion.

JUDGE WEEKS: I prefer to have the amendment presented and voted down, if it is so desired.

THE CHAIRMAN: In other words, you do not believe in making it possible for the Golf Association to have the support of a committee of this kind, in the permission which it gives to previous professional ball players or athletes to compete as amateurs?

MR. MERRICK: I think it is understood. I urge the question.

JUDGE WEEKS: There is one other thing I do want to cover here, before we get to that. It may be we have overlooked it. I think there should be some limitation upon Clause "B". I think that there should be a limitation there that this shall not apply to shooting as a sport, because we know that in all kinds of shooting they do compete for money.

THE CHAIRMAN: Or where the act was made obligatory by governmental order.

JUDGE WEEKS: I do not think that is the question, because it is not made obligatory by any governmental order. These men go out and have their revolver match. When a man goes out and shoots clay pigeons—all the pigeon shots go out and shoot for sweepstakes every day the wind will permit.

DR. GARCELON: I have been taking too much time, Mr. Chairman.

THE CHAIRMAN: Just a second. I think that Judge Weeks has lost sight of the fact that we added a clause to the pardoning power which reads, "That where the act was committed in a sport in which there was at such time no general competition by amateurs."

JUDGE WEEKS: That does not apply to trap shooting.

THE CHAIRMAN: Then it seems to me it ought to apply to trap shooting, because if there is genuine amateur competition open to the men, they ought to be compelled to take part in that.

JUDGE WEEKS: Had we not better say we do recognize shooting as an athletic sport?

THE CHAIRMAN: I do not see how we can very well, as it is part of the Olympic programme and others.

JUDGE WEEKS: That does not make it an athletic sport.

DR. GARCELON: I hope before we get through we are going to get the support of all of the associations. I had in mind one instance of John Morrell, who thirty years ago played professional baseball. He plays in amateur golf now. I think it would be unwise in this general revision to try to force something on the associations that they certainly will not accept.

THE CHAIRMAN: Are you ready for the question? Judge Weeks moves an amendment for the first paragraph, "He shall never thereafter be permitted to compete or exhibit as an amateur in any sport". Are you ready for that amendment? All those in favor of the amendment will signify by saying aye, contrary minded no.

It seems to be lost. It is lost.

Are you ready for the proposed amendment as suggested, "He shall never thereafter be permitted to compete as an amateur in the sport or sports in which said act was committed"? All those in favor, signify by saying aye, contrary minded no. (All present voted aye with the exception of Judge Weeks.)

JUDGE WEEKS: No.

THE CHAIRMAN: Why?

JUDGE WEEKS: Because I must be consistent. I don't think you go far enough.

THE CHAIRMAN: You go at least that far, do you not?

JUDGE WEEKS: Certainly.

THE CHAIRMAN: In voting no, Judge Weeks states he is in favor of going that far, but believes we should go farther.

In the second paragraph, "After a period of five years has elapsed he shall be privileged to apply", and so on, as in the paragraph we have read applying to Clause C. Are you ready for that question?

DR. FISHER: Question.

THE CHAIRMAN: All those in favor will signify by saying aye, contrary minded no.

(All present voted aye, with the exception of Judge Weeks.)

JUDGE WEEKS: No.

THE CHAIRMAN: Judge Weeks, representing the Amateur Athletic Union, votes no, for the reasons already stated that he does not believe that this meeting should give support to any body, any organization to permit one to compete as an amateur who has at any time been a professional.

JUDGE WEEKS: Well recognizing that in certain branches of sport the governing bodies may feel that such reinstatement should be made, but I am voting upon the general principle.

THE CHAIRMAN: Now, we come to the Clause D, Capitalization of Athletic Fame.

DR. GARCELON: I move consideration of this, as those are alternatives.

THE CHAIRMAN: No; they are "By granting or permitting the use of one's name to advertise or promote the sale of, or to act as the personal solicitor for the sale, or as the actual salesman of sporting goods, prizes, trophies or other commodities for use chiefly in or connected with athletic games or exhibitions".

JUDGE WEEKS: Put the comma after "salesman".

DR. FISHER: I move its adoption.

(The motion was duly seconded.)

MR. BETTS: With the spirit and motive behind that rule I am in thorough accord. I know who you are striking at. I hope you can be able to reach him. In cycling, in the old days and the present days, we went all through that. We adopted compromise clauses, A's and B's and every other thing, trying to get that man and we never got him, yet I agree, as I say, with the spirit, but I do think you are making a mistake in picking on the poor old salesman. You are striking at a man who is not a salesman. We had it in the F. A. M. at one time. There was no doubt in the world about it; couldn't land him. He was not a salesman according to his statement. He was an office clerk. He was not a salesman. That is the same way with this. If you pick out the salesman, the man you are striking at will become a bookkeeper.

THE CHAIRMAN: We have got "personal solicitor for the sale".

MR. BETTS: I understand that.



THE CHAIRMAN: But you believe this is a step in the right direction?

MR. BETTS: Absolutely. I would offer an amendment. I don't believe it is right to pick out one class of men in the sporting goods trade and make them ineligible to compete with their own clubs, apparently, according to this rule, and to get around that I offer this as an amendment: Strike out the words "or to act as the personal solicitor for the sale or the actual salesman of", we will make it read this way "By granting or permitting the use of one's name to advertise or promote the sale of sporting goods, prizes, trophies, etc."

JUDGE WEEKS: You allow them to act as a salesman, as long as their name is not used.

MR. BETTS: That is it, so long as he does not make any capital out of it. He cannot use his name. He cannot permit it to be used. That is what you want to avoid.

THE CHAIRMAN: No, we want to avoid both.

MR. BETTS: To pick out the salesman.

THE CHAIRMAN: It applies to permit their names to be used.

MR. BETTS: Permit their names to be advertised.

THE CHAIRMAN: Better make it plain and put it in.

MR. BETTS: If we get down to class legislation and such legislation as this, this is the grossest kind of class legislation. Why pick on salesmen when you are trying to strike at "phony" salesmen? Not after the real salesman. He does not compete as a rule.

DR. SAYRE: I think that means well, but like lots of these things, as far as shooting men, all kinds go. As Judge Weeks says, these rules are impractical as applied to them. I have not said it this afternoon, because I felt that really we were not athletes, but now in shooting, every time a man makes a good score, the man whose gun he has shot, the man whose ammunition he has used promptly puts in a full page ad. in the shooting papers, saying Mr. this, that or the other man made the quite phenomenal score by using such and such ammunition. "Use such ammunition and shoot to win." That is done with everybody who shoots and makes good scores. When I have

shot in England and make good scores, copies of my targets have been stuck in the English sporting papers and the score, and the fact it was made with such a revolver and with such kind of ammunition was advertised all over the world, and the same thing is done with everybody. When my teams have won, the Squadron A team, or the Manhattan Rifle team, or the American team in case of the Olympic matches, a whole page in the various shooting journals has appeared, stating that this team used such and such ammunition and such and such weapons, and it is done always and we do not get any financial benefits from it. It does not enure to the advantage of the man who shoots the gun and I do not know how you are going to stop the man who furnishes the arms and ammunition from saying such and such scores were made with them.

JUDGE WEEKS: I think you had better change the word "permitting" to "sanctioning". Permitting is a quiescent act. Sanctioning is an affirmative one.

THE CHAIRMAN: So it is. "By granting or sanctioning." That does not mean that they do it, without your grant or sanction that you are to suffer the penalty, but it means if you do you ought to suffer the penalty.

MR. MOCKLER: The man who would do that for profit, would he not connive and say the thing was done without his sanction?

THE CHAIRMAN: He might and get away with it. He might lie and be caught.

MR. MOCKLER: He might lie and be hard to catch.

THE CHAIRMAN: If he felt he was under suspicion.

MR. MOCKLER: As a matter of law, cannot any man refuse permission to a manufacturer to use his name in connection with an advertisement?

THE CHAIRMAN: He certainly can.

MR. MOCKLER: The word "sanctioning" seems to me opens an avenue for evasion there.

JUDGE WEEKS: I think it is very doubtful, in reply to Dr. Mockler's question—I think it is very doubtful whether the law would enjoin any person from advertising the fact that you used a certain breakfast food, if it was a fact, or the fact,

for instance, that a man who is a great athlete regularly took bovine.

MR. MOCKLER: If they did not publish his name.

JUDGE WEEKS: Yes. If you say someone made a certain score with a certain rifle, of course the presumption would be if the man continued to use the same rifle that he might possibly get that rifle without paying for it.

THE CHAIRMAN: Now, the Tennis Association has something to say in this matter.

MR. MERRICK: We are very strong on this capitalization of athletic fame. The stronger you make it the better we like it. I think we have a good many players—I don't believe they are getting money for it. The sporting goods houses advertise that racquets are used by such and such. We are very much against it if they get money for it, and against it if they don't and we would like to see anything—the stronger you can make those points, the better.

MR. BETTS: I thoroughly agree with those things.

THE CHAIRMAN: Do you insist on your proposed amendment?

MR. BETTS: I do, sir.

THE CHAIRMAN: Then we will go on with the proposed amendment of Mr. Betts, of the Federation of American Motorcyclists.

MR. BETTS: What I am protesting against is what seems like class legislation and making a coach out of a genuine salesman, while you are trying to strike at the masquerading.

THE CHAIRMAN: All those in favor of the proposed amendment will signify by saying aye, contrary minded no.

The noes have it.

On the suggestion as printed, with the exception of the word "permitting" which is changed to the word "sanctioning", all those in favor signify by saying aye, contrary minded no.

(All present voted aye, with the exception of Mr. Betts.)

MR. BETTS: No.

THE CHAIRMAN: Mr. Betts voted no, for the reasons already stated by him.

On the second paragraph "By engaging for pay or financial benefit, in any occupation or business transaction, wherein his usefulness or value arises chiefly from the publicity given or to be given to the reputation or fame which he has secured from his athletic performances, rather than from his ability to perform the usual and natural acts and duties incident to such occupation or transaction."

Are you ready for the question on that?

DR. FISHER: Question.

DR. GARCELON: On that question, Mr. Chairman, I do not know what to say about it. The evil I presume that is hit at there is the writing for the newspapers by boys in college who have become famous.

THE CHAIRMAN: It is not confined to colleges. It applies to you.

DR. GARCELON: That is the thing that comes up definitely. I think the colleges are discussing that very thoroughly. Of course, a great many evils have arisen in a good many cases. The articles have been written and simply the names of the athletes have been used and they have been paid for allowing the use of their names. I am not yet clear whether I would vote to absolutely disqualify men who did write for papers and actually did the work, but I think the tendency is towards preventing it.

THE CHAIRMAN: This does not prevent them at all. This prevents them from getting reward for that which they do not do, or receiving pay or benefit which they would receive were they a newspaper writer, rather than a prominent club athlete.

DR. GARCELON: The man who is captain of a big football team is paid, because his name goes at the head of the column. He is not paid because he is a good newspaper man, because he usually is not.

THE CHAIRMAN: Are you ready for the question?

DR. FISHER: Yes, sir.

THE CHAIRMAN: All in favor signify by saying aye, contrary minded no.

It seemed to be carried unanimously. It is carried.

Now, let us take up penalties in regard to capitalization of athletic fame.

"DD.—He shall be privileged to apply to the governing body of any sport for permission to compete as an amateur in that sport, and such body or bodies, upon assurances being given by the applicant of no future violation of any act which would disbar him from competition as an amateur, shall be privileged to permit such applicant to compete as an amateur in the sport over which it has control."

JUDGE WEEKS: I suggest the substitution of the word "his" for "of one's name" and also strike out the final "s" in the word "manners". "Capitalized in the manner set forth."

THE CHAIRMAN: All those in favor of this recommendation will signify by saying aye, contrary minded no.

(All present voted aye with the exception of Mr. Betts.)

MR. BETTS: No. I again want to go on the record.

THE CHAIRMAN: Passed, with the exception of the negative vote of Mr. Betts, for reasons already stated.

The next paragraph is that of associating with professionals:

"By having played in any public competition or exhibition upon a team on which there were professionals, but who himself had not been paid to play or coach, or who in any manner, except by reason of such associating has not had his amateur status affected."

DR. RAYCROFT: Should not that "but" be "although", or "even though"?

THE CHAIRMAN: How would you suggest that?

DR. RAYCROFT: "Even though he himself."

THE CHAIRMAN: That is right. "Even though he himself had not been paid to play or coach."

DR. MOCKLER: There is one point, the United States Football Association is one in which that custom is general and it is more or less imposed upon us by the obligations we have to the National Federation which permits that, and when we first sought recognition, membership in the National Federation was refused on the ground that we did not at that time attempt to control the professional situation at all and they refused to

permit us to come in, and we had to reorganize the thing and admit the professionals and look after them and govern them, before we were allowed to get into this International Federation, and going into this we have got to take care, and the custom of the game obligates us to permit the amateurs and professionals to play together and against each other.

DR. GARCELON: It seems to me that we are going pretty far on this particular matter. The summer baseball question is a very troublesome question. The boy goes out in summer and goes to his own home and plays on his home team in which there is a professional battery, living at home or living at his summer place, receiving absolutely nothing for it and he is declared here a professional. It says later "without having first obtained the consent of the organization." That "or" in there troubles me a little. Consent of the organization governing such sport. I would agree that if the college boy could submit to his college authorities what he was going to do in advance, and get permission, if that is covered here, it seems to me satisfactory, but there is going to be a wholesale disqualification if this is carried out.

Now, another question arises: How does this affect a man—take the Trinity case with George Brickley playing on that team. Would this affect the Williams team playing against the Trinity team? Would it render them all professionals?

THE CHAIRMAN: That is covered, "all-amateur teams against a professional team permitted," if you will read down. Nothing contained in the provisions as to acts whereby an athlete loses his amateur status is such as to prevent a team of amateurs representing a well established organization from participating in a public competition or exhibition, against a team composed of professionals, and it should be noted that under Clause E of acts whereby an athlete's amateur status is lost, a single professional player on a team makes the team a professional one.

In other words, answering your question as to Trinity, it would mean the men on the Trinity team who played with Mr. Brickley, he being a professional, thereby became during the period of their competition with him disqualified from com-

peting as amateurs, but it does not mean that those on the Williams team in any way had their amateur status affected.

DR. GARCELON: What do you say about the boy who plays on a team at home, where there is a professional battery, say Rockville and Stoneville. The boy lives in Rockville and goes home for his summer vacation. They say, "You are a good player; come out and play on our team. We have got a professional battery." Under this rule, of course, he cannot play.

THE CHAIRMAN: As to that, I say this, that the penalty for violation of "E" is that he shall not be permitted during the period of such participation to compete or exhibit as an amateur in any sport. In other words, the man who played with a professional battery during the summer would not, during that period, be permitted to compete as an amateur in track or field or any other sport. That goes on to say, and that might be for reasons which you have stated, subject to some modification. On his ceasing to compete in the case as set down in clause "E," "he shall be privileged to apply to the governing body of any sport other than that in which such act was committed, for permission to compete as an amateur in that sport and such body or bodies"—in other words, it would mean that he could not play baseball until a year had passed since his commission of that act, but he could take part in other sports than baseball. I am personally not prepared to say that a university or an athletic club should not be permitted, or the Amateur Athletic Union should not be permitted not to say an athletic club should not be permitted to give permission to a boy to play amateur baseball, after he has ceased such participation, but that is a very big and difficult question.

DR. GARCELON: And it is a big question.

THE CHAIRMAN: But at least we should go as far, should we not, as to say that the present rule should be modified to the effect that the boy who plays with a professional, should not thereby become a professional for all time, in all sports?

DR. GARCELON: Take a case in mind, that of a baseball team having great rivalry with some other club. I believe they hired a catcher, because they had no man who could stand up behind.

It happened a yacht landed in the harbor with college men on it. They commandeered them and put them into the game. They wanted to play. They played their game, went aboard the yacht and it was perfectly fair so far as the rules were concerned. Under that rule they would have become professional ball players, of course. I cannot see that very much is to be gained. The summer ball question is still being threshed out by colleges. You know some colleges have one rule and some another and I do not believe we are ripe to lay down any broad rule governing it yet. I hesitate to say very much on it, because I think that question has been threshed out pretty thoroughly by the Princeton, by the Yale and by the Harvard authorities and their agreement has not yet become public, but throughout Maine they have another rule and through other sections of the country there are other rules. It is a very broad question. It seems to me that we ought not to go too far with it here. We are going on it rather hastily.

THE CHAIRMAN: Let us go as far as we can, and how far can we go?

DR. RAYCROFT: May I criticise this from an unusual point of view? The wording of this, unless I am getting very tired and hungry, is absolutely meaningless. I have tried to edit it so that it reads straight, "By having played in any public competition or exhibition upon a team in which there were professionals, even though he himself were a coach, or has not in any manner by reason of any association imperiled his amateur status." And the second paragraph I confess I have not been able to read straight. It seems to me the first word—it seems to me there is a condition there.

JUDGE WEEKS: Begin your second paragraph with the words "Or by having participated in any individual public competition or exhibition with or against a professional, without having first obtained the consent of the organization governing such sport, provided his amateur status has not been affected otherwise than by reason of such association."

THE CHAIRMAN: The main point is, has not Dr. Sayre got it right? Read it through and put the last part first, and Judge Weeks has set down in a comprehensive way that even

Dr. Raycroft can understand with his weary mind, but that is not the point. The point is how far you want to go.

DR. RAYCROFT: As I understand it, Mr. Chairman, as it has been reframed, this is at variance with the practice which obtains in some colleges, permitting a man to play summer baseball providing he asks for permission from his institution.

THE CHAIRMAN: No, that is not so at all. In the first place, are we going to say that a man who commits that act plays summer baseball?

DR. RAYCROFT: Does not get paid for it, but plays on a team.

THE CHAIRMAN: But plays on a team and has committed an act which disqualifies him from amateur competition. Now if we say yes, then we come to the penalties and the question is how far shall that disqualification be. Now, the present law of the Amateur Athletic Union, the I. C. A. A. A. and many other organizations governing amateur sport, is that a man who plays on a team or on which there is a professional, thereby becomes a professional and it keeps him out of sport, not merely for that time, but thereafter. Now, these proposed penalties keep a man out of amateur sport, at least, during the period of his playing on that summer baseball team.

DR. RAYCROFT: They do permit a man, if he asks for special consent, under special conditions, to play on a team on which there may be one or more professionals and not lose his amateur standing.

THE CHAIRMAN: He does lose his amateur standing.

DR. RAYCROFT: It is done right along.

THE CHAIRMAN: And he has done so when he has been ineligible, and you can rest assured that in the I. C. A. A. A. games this spring there will be numerous protests and those protests, if the constitution of the I. C. A. A. A. stands as it now is, will have to be upheld, because the rule is as plain as the spectacles on your nose.

DR. RAYCROFT: I was really trying to understand what the statement was.

THE CHAIRMAN: I think we are all agreed, or we must agree that a man who—that the present rule is too stringent—that a

man who does that, receiving no compensation himself should not be punished for all time, and I also believe we are of accord that it should be permitted for a team upon which there are none but amateurs, to compete against a team upon which there are professionals, without making the amateur team ineligible for competition.

DR. RAYCROFT: It is done constantly.

THE CHAIRMAN: We can agree that far, can we not? It is forbidden.

DR. RAYCROFT: I did not know that.

THE CHAIRMAN: I am giving you some information. It is forbidden.

DR. RAYCROFT: Never been administered.

THE CHAIRMAN: That is true.

JUDGE WEEKS: Mr. Chairman?

THE CHAIRMAN: Judge Weeks.

JUDGE WEEKS: By having played in any public competition or exhibition upon a team on which there were professionals. Now, how am I going to tell whether the man on that team is a professional? What must he have done to constitute him a professional, such as is meant in this paragraph?

THE CHAIRMAN: That is the question of the language again, by having violated any of the acts.

JUDGE WEEKS: I think you have got to add to that "on which there were professionals", to wit: Persons who had violated clauses A, B, C, and how far are you going?

THE CHAIRMAN: Quite right.

DR. GARCELON: I would like to find out what good reason there is for disqualifying a man who plays on the team? What is the reason for it?

THE CHAIRMAN: I think Judge Weeks can answer that as well as any one else. Go back to the old semi-professional baseball teams.

DR. GARCELON: Take it to-day. What reason is there for disqualifying a man who we are sure does not get any money if he gets permission from his college? If he goes and plays on a team on which there is a paid battery, in his own home

town and there is no suspicion that he is paid anything, why should he be disqualified as an amateur? He is out for sport.

THE CHAIRMAN: One answer is that it leaves a very wide door open, for if any member of the team is being paid it is very easy for some member to say "he got it and I didn't". Now, whether that is a sufficient reason I am not prepared to say, but that is a reason.

JUDGE WEEKS: I think that that is the real reason, that if a man is playing on a team of nine men and two or three of them are being paid, you never know how many of them are being paid. He may be the one white sheep in a flock of black ones, or he might be the one black sheep. He is an amateur in a flock of white ones. Now, under those conditions the man would not be apt to get anything, because the other eight would not give up, but if there were four or five being paid, it would be very hard to tell whether there were four or five or six. As soon as you get a group of men playing semi-professional baseball, which is really playing for gate money, it has been very hard in the past to be sure that there was not a division all along the line.

DR. GARCELON: I still do not think your reason is a good one for enacting the law.

DR. RAYCROFT: The rule is almost universal in all colleges. That is, a man may not compete on a team on which any member is paid.

THE CHAIRMAN: I personally think it is a very good rule.

DR. RAYCROFT: So do I.

JUDGE WEEKS: May I inquire from our friends of the United States Football Association where they have today the actual situation? Now, how many of your men are playing on professional football teams where eight or nine of the men are acknowledged to be getting money and two or three are supposed not to? How many of those do you really suppose don't take any money?

DR. MOCKLER: As I said the other day, amateurism is simply a word in soccer football. There is plenty of amateurism in soccer football, as it is played around playground associations and schools and colleges, where they have mixed teams.

I doubt that there are very many. Of course, where it can be proven that they take money, then they are promptly disqualified. A case came up the other day where a man went around and boasted he was paid to go down with his team. Four men came around today and made affidavits where they said this man had got one dollar.

JUDGE WEEKS: Your practical experience is that where the so-called amateur plays with a group of professionals on the team, it is not very long before you suspect that he has been getting a little money.

DR. MOCKLER: That is the thing we are getting away from.

JUDGE WEEKS: I am not saying this rule should be applied in soccer football at present. I am only asking for the conditions as you find them, because the Athletic Union recognizes in its alliance with you that you should have both amateur and professional football in your U. S. Football Association.

THE CHAIRMAN: As Dr. Mockler said the other day, the tendency is toward having a team upon which there is no professional and perhaps teams of all professionals. In other words, that he believes the day will come when there will be all amateur teams. I am right in that, am I not, Dr. Mockler?

DR. MOCKLER: Well, I was really expressing a personal hope in that matter, that that condition would come about. I personally would like to see it that way. I do not consider it is practical to attempt to do that now and it would be a hardship on our association, of course, if this rule could be forced upon us.

THE CHAIRMAN: Don't you think, Mr. Garcelon, that we can agree that a boy, even under the circumstances that you so clearly showed, who plays on a baseball team or on any team upon which there are any who have violated the clauses we have talked about this afternoon, should at least during the period of such playing be disbarred from competing as an amateur?

DR. GARCELON: I know that at Harvard when I was there, and we caught a man who played on a baseball team on which there was one man, or two men paid, he was immediately under suspension. We immediately pulled him right up, made him

give the whole story and state the whole situation. If I was speaking for Harvard alone, I would say why, this rule is all right, because it does not trouble us at all, but in this college association there are one hundred and fifty-eight colleges represented and they are in various degrees of evolution in this amateur business, and it would seem to me that this would be very far reaching. And there is a great difference of opinion among college men as to whether men ought not to be allowed even to play summer ball, make money off it. It seems to me to be going a long step beyond that when you say that a boy who plays on a baseball team and receives no money, must be disqualified because there happens to be a professional catcher on the team. I know that in many cases at summer resorts where they want a baseball game and they haven't any man who can stand up behind the bat, and they hire a catcher, the rest of the fellows go out and play for fun. I cannot see that there is very much to be gained by it. The only reason I can hear for it is that it puts the other fellows under suspicion. As far as I know, most of them are under suspicion now.

DR. RAYCROFT: Mr. Chairman, it is true that most of the men who come to college violate the rule as it now stands.

THE CHAIRMAN: If it is unknown to them, then that they come under the pardoning clause, or as reasonable men they would not or should not have known it. Now, we must, it seems to me, take at least some step in advance in this matter and not leave the law as it now is, though be it that that law is not so well known as to be aware even to Dr. Raycroft.

JUDGE WEEKS: I move you the approval of Clause E.

(The motion was duly seconded.)

THE CHAIRMAN: Clause E, "By having played in any public competition or exhibition upon a team on which there were professionals, even though he himself had not been paid to play or coach, or has not in any manner except by reason of such associating had his amateur status affected, or by having participated in any individual public competition or exhibition with or against a professional, without having first obtained the consent of the organization governing such body,

provided his amateur status has not been affected otherwise than by reason of such competing."

MR. FISHER: Question.

THE CHAIRMAN: I did not want to put that and have the National Collegiate Association vote against it.

DR. GARCELON: I have always thought that the proper way to handle that was that any baseball man who wanted to play baseball in summer, should come to his college and ask permission and get authority in writing. Then when he came back he would have a certificate, showing what he had been allowed to do, and he would have done it. Now, if that could be carried out I should not have any objection to it, but it seems to me that this—at least it is not in clear form now and it is going to cause a lot of confusion, and I shall be compelled to vote against it.

THE CHAIRMAN: Mr. Garcelon, let us analyze your situation. A man playing baseball in summer is in no wise under the jurisdiction of his college.

DR. RAYCROFT: Yes, he is every minute.

THE CHAIRMAN: No, I beg your pardon, Dr. Raycroft, he is not. It is only when he goes back to college that the college has the power to force any rules or regulations which it has laid down for his conduct during the summer, but if he does not go back, no penalty of any kind can be exacted by his college. Now, on the contrary, during the summer he is under the jurisdiction of the Amateur Athletic Union, because it controls competition during that period.

DR. RAYCROFT: Does the A. A. U. take cognizance of baseball?

THE CHAIRMAN: Not at the present time, but it takes cognizance of other branches of athletics. Judge Weeks, there is no organization governing amateur baseball at the present time?

JUDGE WEEKS: No.

THE CHAIRMAN: So you are—

DR. RAYCROFT: If we should take that position in summer baseball, we should find ourselves in great difficulty. You may be speaking correctly from the legal point of view, but from

the practical point of view the college man is responsible to his institution during the summer, and many institutions give very definite notice—general written notice to the individuals who are on their baseball teams, warning them of the fact that they may not play summer baseball, may not play baseball during the summer without taking the risk of coming under the rules of suspension, unless they ask permission or record the matter with the proper officer of the Faculty Committee or Board of Control—proper university officer, so that while what you said may be accurate legally, yet practically it is not. Those men are and have been for a number of years, and I hope will continue to be in that relation to the university.

THE CHAIRMAN: A very happy relation, but Dr. Raycroft, let us assume that during the college term the boy played on a team upon which there were professional players. Let us assume the boy came back in April. Suppose a Princeton lad in April went out and played on his village baseball team, upon which there was a professional catcher. Now, what do you do with it?

DR. RAYCROFT: If a boy went out and played on his village baseball team during term time, even if there were not a professional on there, he would lose his eligibility to represent Princeton.

THE CHAIRMAN: Now then, is not that a wise rule for any institution?

DR. RAYCROFT: That brings me, Mr. Kirby—I have to confess my weakness of mental process, but the point Mr. Garcelon just suggested—I do not understand clearly what this paragraph says. I believe I am thoroughly in harmony with the spirit of it. I do not think you have said the thing right. I think it ought to be stopped.

THE CHAIRMAN: What do you think ought to be said?

DR. RAYCROFT: I must confess I haven't been able to—

THE CHAIRMAN: Don't you think it ought to be said that during the period—that is all we have said thus far—that a man who competes on a team on which there are professionals makes himself ineligible for competition as an amateur? Then you turn to the penalty for that act and you find the penalty only

applies during the period of his competing, which prompted me in asking you the question whether you would not disbar him from amateur competition if he went out and played with a professional ball team, during the period he was in college, and you say yes, because he could not do that anyhow.

DR. GARCELON: Mr. Chairman, to sum up my final statement on it, I mean a man ought to be barred who receives directly or indirectly financial benefit for playing. I believe a man ought not to be barred who receives absolutely nothing, although he plays on a team with professionals.

THE CHAIRMAN: In other words, you believe a man—any college baseball player or football player should be permitted to go and play for his love of it with the New York professional baseball teams?

DR. GARCELON: That is an extreme case.

THE CHAIRMAN: That is the way to judge any case.

DR. GARCELON: If you take an extreme situation, I can look after it on any question you may bring up here, but I feel generally a man ought not to be barred, simply because he plays on a team with professionals. The only real reason for putting the rule through is because you are afraid you cannot prove he did not get money. Because you cannot prove it, that does not tarnish his amateur standing.

THE CHAIRMAN: Another and very good reason is that when you go beyond the point of the one professional on the team like the catcher, you are putting a man in company which is so much better than that of the amateur, that he becomes or should become more proficient in his sport; that he has received an undue advantage over his fellow amateurs. In other words, there is no doubt whatever that if John Jones of Harvard, a great baseball university, went down to the Boston baseball team and said, "See here, I want to play with you all summer just for the love of it," and if he were good enough and they put him on their team and he did play during the summer, that he would be a better baseball player at the end of the season than at the beginning.

DR. GARCELON: Then you ought to bar him from open amateur competition.



DR. SAYRE: A man playing on the New York team—that question came up with Clarkson some years ago. They wanted him to come down there and play for money and he could not do that and stayed and continued to pitch for his college, and then he asked if he could go down there and play, because he would like to play with a good hot bunch like that, and he was told no, he could not, because that would disbar him.

DR. GARCELON: This paragraph says he must obtain the consent of the organization governing such sport, and that organization does not exist.

THE CHAIRMAN: In other words, that is to meet a competition for example in golf. Golf associations permit individual competition between an amateur and a professional. Now, in almost every other organization it would be forbidden. This would permit the Amateur Athletic Union to give consent to a track team of amateurs to meet a track team upon which there were professionals of one kind or another, or to permit the I. C. A. A. A. to do that which it would very much like to do, to give permission to the track and field team to compete with the track and field team of the Springfield Training School Y. M. C. A., which it cannot do at the present time. Now, that is something desirable. The big question is in regard to the summer situation or the playground situation, or the hundreds of teams throughout the country where some of the fellows play for fun and some play for money, and we must not forget in giving consideration to it that certainly a rule which forbids a man playing on a team on which there are professionals or which imposes a penalty upon a man who plays on a team with professionals, is certainly one which encourages all amateur teams and that is desirable.

DR. GARCELON: I of course have had a great many questions along this line. I hate to prolong this discussion, but it is an important matter. While I was at Harvard, I presume a hundred different men came to me and asked me whether they could play wherever they were summering. I suppose that in the last six or seven years I talked with probably a thousand men about this very problem, and it has always seemed to almost every single one of those men, good sensible men

interested in sport, high minded men, who had never been professionals in any way, that it was utterly absurd when young men were about summer places in summer that they did not dare to play on a team where there was a professional battery, simply because they were afraid the Amateur Athletic Union of their college would disqualify them. I know I had one instance of a man sitting on the side lines anxious to get into it, but he could not play and everybody on the island was wild about it, and I think it brings us into ridicule when you put a rule forward that seems so absurd to so many people. I feel that you ought not to say that a boy is tarnished, simply because he plays on a team on which there are professionals. We can handle it in most every instance in the colleges and I believe that in most of the cases in the Amateur Athletic Union they have difficulties now in finding a man that has received a little more expense money than he ought to. There are a lot of men who have been skirmishing around this country in amateur athletics who have been getting a little extra money from time to time. You cannot keep the rule thoroughly enforced, any more than you can have any law against stealing or murder absolutely enforced.

THE CHAIRMAN: I think you are inclined to believe that it would probably be advisable as a condition precedent to such competition, for the athlete to obtain the consent of some responsible body. I am right in that, am I not, because if it is so, I see a door which he might open to accomplish the result.

DR. GARCELON: I agree with you on that, if he is an amateur athlete of the Amateur Athletic Union. If he is a college man, his college athletic authorities. I know that the baseball men at Harvard the last two or three years I was there, it was understood if they were going to play on a summer team, they would come and talk it over, when we would investigate what kind of a team they were going to play on and if it was satisfactory, we said yes; if we thought there was any suspicion we said no. I approve of the proposition that compels them to get the authority of some organization.

THE CHAIRMAN: To go one step further, would it be advisable if you said that the boy should apply to the governing body

of any sport in which he desired to thereafter compete as an amateur, for permission to participate as a member of a team upon which there were professionals? For example, here is a track and field athlete who desires to take part in the A. A. U. National Championship. Now, he today competes on a ball team upon which there is a professional and he cannot do so, but if the rule was that upon application being made to the A. A. U., that body should have the power to say yes, you may play on such a ball team, because we see from your application that it is a case where you would be deprived from that sport which you are fond of and the like, and they have a professional catcher, and grant him permission, then that would be all. Now, that might be the solution of it. It puts the boy in the danger of not applying to the governing body of some sport which he might not at the time have in mind.

DR. GARCELON: I have in mind now a man living four hundred miles away from here who is a Harvard man. Probably next summer he will be suddenly asked some morning to play in a ball game that afternoon and will want to do it.

THE CHAIRMAN: You stated that you believe he should have consent before he does take part.

DR. GARCELON: I think he ought to go to his college authorities, but I don't believe in the other lines of sport. The Amateur Athletic Union has got to have some confidence in the college authorities.

THE CHAIRMAN: It cannot. It is too nebulous.

DR. RAYCROFT: You weaken the administration very much of the college rules if you say to a boy who wants to play summer baseball, whether there is a professional on the team or not, and say you go to this organization with which perhaps we have no relationship. The rules of eligibility cover other points and you are absolutely responsible to him. Just as soon as you weaken the control of the colleges over the men who represent them, you strike at the root, make it a police matter of control, instead of a matter of all of the institutions working together to create a general plan for it. It is an educational matter, not a police matter. The only improvement we have made is on the basis of raising ideals, not by policing. We are doing less

policing to-day than we have ever done. Our rules are being more effectively administered. There is better spirit and it is constantly growing.

THE CHAIRMAN: The colleges cannot do more than control the participation of the athletes who are members of those colleges during the academic year. It is foolish to say you can do anything else, because you cannot. If the rules stand to-day, if W. Ohler goes out and plays on a baseball team on which there is a professional coach, he is out of amateur athletics so far as the track and field sports of the A. A. U. are concerned. Now, we will say Mr. Davy of Princeton plays on a summer ball team or any other ball team upon which there is a professional. He cannot further compete in any sports under the jurisdiction of the Amateur Athletic Union.

DR. RAYCROFT: We have everything to say about the man when in college.

THE CHAIRMAN: I am going beyond that.

DR. RAYCROFT: I am not interested in that.

THE CHAIRMAN: You should be. Now, what we are trying to do is to make it possible for Davy to play on that ball team upon which there is a professional.

DR. RAYCROFT: No, we don't—

THE CHAIRMAN: Please don't—and permit him thereafter to compete in A. A. U. sports, and my suggestion was that Mr. Davy apply to the A. A. U. or to the U. S. Golf Association, or to the National Lawn Tennis Association, or to the Amateur Fencers' League or whatever the organization was, which governs the sport in which he hoped to compete as an amateur. Now, let me finish, please. I am not half through—and to say to them, "It is all right"; so far as my knowledge is concerned, I am going to play; they might say yes or no to me. If they say no to me, I know that during the time I am in college I cannot compete on their teams, but I don't give a rap what Princeton says. I am very much concerned about what happens to me during the summertime when I am not at Princeton, or after I have graduated from Princeton, and if the Amateur Fencers' League says I may compete on this baseball team, I am going to do so, because all I care about is fencing;

or if the A. A. U. says I may compete on this ball team, that is all I care; or if the U. S. Golf Association says I may compete on that baseball team, that is all I care about, because I want to play golf, and so on. Now, if we enacted a law which would be practically the second paragraph of this, that one who competed upon a team upon which there was a professional, without having first obtained the permission of the governing body of the sport, whatever it might be, should not thereafter be permitted to compete in that sport, why, it would accomplish that result. Now, I know very well that the Amateur Athletic Union would never grant that permission. At least, I don't believe it would. It might do that. We know that the Soccer Football Association would grant that permission and so on, one body one way or one body another. Now, it seems to me that that is a solution. Now, Dr. Raycroft, let us hear from you.

DR. RAYCROFT: I really have said everything. I think I have expressed my opinion on the matter as clearly as I can.

THE CHAIRMAN: May I ask Mr. Garcelon what he thinks of that suggestion.

DR. GARCELON: I still think what you are trying to get at is to disqualify a man who is paid for playing, and the fact that a man does play on a team on which there are professionals places him under suspicion. Whether or not the mere fact that he is under suspicion should condemn him, is the subject that we are to decide. I think it ought not to. So far as college baseball is concerned, I like the proposition to let the man go to his college and ask permission. So far as the other end of it is concerned, asking the other lines of sport, I think it is too cumbersome and I think the man who ordinarily is asked to play on a team in the country would not know where in the world to apply.

THE CHAIRMAN: He might be four hundred miles from his college. What would he do in that case?

DR. RAYCROFT: May I answer that question? That man loses his eligibility to represent that institution, unless he has got a mighty good excuse and that has happened more than once. A man who was four hundred miles or seventy-five miles

away and did not ask for permission from the college authorities to play baseball, providing it is not his home town—of course there are reasonable exceptions—would lose his eligibility and men have lost their eligibility on that basis.

JUDGE WEEKS: Dr. Raycroft is speaking of the peculiar condition that exists and has existed for a long time in Princeton, that a student at Princeton is not allowed to represent anything else in competition during his college course, and there have been very rare exceptions when that rule has been lifted. Of late years, the Western conference of colleges has in almost all of the colleges, if not all, applied the same rule. That does not exist, however, at Harvard, Yale or Columbia, or in Cornell, or Dartmouth. All of those colleges allow their students to represent athletic clubs in competition during the summer.

THE CHAIRMAN: Princeton is the exception and not the rule.

JUDGE WEEKS: Princeton is the exception in the East, and I think in the West the exception is the other way.

THE CHAIRMAN: Judge Weeks, it never would be possible for the Amateur Athletic Union to bind itself to the extent that if a college has given a man permission to take part on a professional team, that the A. A. U. would disregard it.

DR. MCCURDY: If Poggenberg plays a billiard match with Hoppe or does not, then wanted to go out and run a hundred yards, would the fact that he had or had not played billiards affect your admitting him to the sprint?

JUDGE WEEKS: We do not recognize billiards as a form of athletic sport. We do recognize baseball and football as branches of athletic sport over which we have assumed jurisdiction, but the real reason for the adoption of this rule, I think, is for the greatest good and the greatest number, and the objection to the rule is made on behalf of a few cases that might occur, whereas there would be at the outside, twenty-five or thirty or a hundred cases, we will say, in the college world where men would want to go out and do this thing and play baseball with the semi-professional teams. Those cases are negligible compared with the number of competing athletes all through the United States who would be playing Saturdays and

Sundays, semi-professional baseball. I know that Mr. Garcelon does not mean that he wants any relief for the college student who goes out and waits on the table and plays baseball and gets \$50 a week for waiting on the table, when ordinarily the waiter would get \$10.

DR. GARCELON: I agree on that. The result now is that a lot of boys who really ought to be having a good time playing in the summer, don't dare to touch a ball. You are not legislating against the act of playing with professionals; you are legislating against suspicion.

JUDGE WEEKS: We are trying to not only lead them not into temptation, but lead them away from it.

DR. GARCELON: I think it is a question, Mr. Chairman, that we might argue all night without coming to any absolute determination. I see so many difficulties in the adoption of the rule that I shall vote against it.

THE CHAIRMAN: Are you going to recommend that the rule be left as it is—certainly not?

JUDGE WEEKS: What Mr. Kirby has been endeavoring to point out, I think, is if this conference says nothing on the subject of playing against teams that contain professionals, you leave the general athletic field and the under college athletic field under a much more severe and drastic rule than the one that is now presented.

THE CHAIRMAN: I cannot help but think the suggestion I made a few minutes ago as along the right line, and that is to insist that anyone who desires to play upon a team upon which there are professionals, should apply to the body governing the sport in which he thereafter hopes to compete as an amateur, to grant him permission to do so, and that if he competes without such permission he becomes ineligible as an amateur. Now, that would mean that if a man desires to compete on a soccer football team and felt that he wanted thereafter to compete as a track athlete, that he would apply to the Amateur Athletic Union to ask if he could do so. As an administrative proposition it would be easy, because of the alliance. That if he felt he was going to fence, he would have to ask permission of the Amateur Fencers' League and so on, and that would apply to

summer baseball as well as to soccer football or any other sport. I don't think that is ideal.

DR. GARCELON: A suggestion has been made by the gentleman from the Soccer Association that this might be inserted: "By having without the consent of one of the governing bodies with which he is affiliated, played in any public competition or exhibition."

THE CHAIRMAN: The criticism of that is it would enable the Fencers' League to decide for the Amateur Athletic Union and the Soccer Football Association to decide for the Lawn Tennis Association. What I am after is the consent of two things, the consent of the board in which he is competing and the consent of the body governing the sport in which he desires thereafter to compete.

JUDGE WEEKS: It does not make any difference about the sport in which he is competing.

THE CHAIRMAN: No, I do not care about that so much, but what I do care about is a man must gain the consent of the organization which governs the sport in which he hopes some day to compete as an amateur.

DR. RAYCROFT: Supposing this boy were a high school boy. Would he naturally then, since he hoped to go to college and he hoped to compete on college teams—would he be expected to go to the National Committee of the I. C. A. A. A., or one of the conference organizations for permission to do thus and so, because he wanted to compete on college athletic teams when he went to college?

THE CHAIRMAN: He would probably apply to the college of which he expected to be a member.

DR. RAYCROFT: I simply raise the point. Mr. Garcelon and I are particularly interested in it and it seems to me, as I said a moment ago, without any reflection, that it is a very awkward and indirect method of procedure. The further down you go, the more difficult, because the high school boys are even more irresponsible and impulsive in their plans than the college men, and I do not believe that any centralization of authority, aside from the authority from the institution with which he is immediately associated, will work. I

think that has been the experience of our past few years in college athletics, and as Mr. Perry said a few minutes ago, the conditions are changing for the better throughout the country as a whole.

THE CHAIRMAN: Gentlemen, let us take this thing backwards. Are we all agreed as to this, that an all-amateur team should be permitted to compete against a team upon which there are professionals, one or more, without professionalizing or making ineligible as amateurs the members of the team upon which there are not professionals? We are all agreed as to that, are we not?

DR. RAYCROFT: That is the practice.

THE CHAIRMAN: That is not the rule to-day of all organizations, but let us put that question.

(The motion was made, seconded and unanimously carried.)

THE CHAIRMAN: "By a team is meant not only such a team as one in which all the members thereof enter into the contest simultaneously, as a group like football, but also where the members of the team compete separately, as in track and field athletics, such competitions, however, to consist of the regular series of standard events and not merely one or more special contests."

JUDGE WEEKS: Change the word "to" to "must".

THE CHAIRMAN: All those in favor of the designation, signify by saying aye, contrary minded no.

The ayes seem to have it. The ayes have it.

Cannot we pass a resolution to this effect: "It is the sense of this meeting that a rule which declares as a professional and disbars from further competition as an amateur, one who played upon a team upon which there was a professional." Now, can we go as far as that?

(The motion was made and seconded.)

THE CHAIRMAN: Judge Weeks, aren't we prepared to go that far?

JUDGE WEEKS: I am not, because I do not think I would represent my Association. I am prepared to offer or suggest as a substitute that it is the sense of this meeting that some provision should be made to permit in proper cases, and under

proper safeguards, an amateur to play on a team on which there were one or more professionals.

THE CHAIRMAN: That is the same thing, put in a better way.

DR. RAYCROFT: Judge Weeks suggested a very good thing there. I do not know whether I can phrase it. Maybe I can try. My suggestion would be this: That it is the sense of this meeting that competition between amateurs and professionals in any line of athletics should not be favored. That is our idea. We are in favor of competition between amateurs and professionals, but that under certain conditions, with certain safeguards, carrying out Judge Weeks' phraseology, under exceptional conditions such competition may be permitted, without jeopardizing the amateur status of the amateur taking part. In other words, I would like very much a positive statement. I do not know that that is clear.

THE CHAIRMAN: Now, it is moved by some one—I see Mr. Berry is going to try to move something, that the resolution as worded, but not proposed by Judge Weeks—that is, that it is the sense of this meeting—

JUDGE WEEKS: Worded by Dr. Raycroft.

THE CHAIRMAN: Either one.

JUDGE WEEKS: Such competition may be permitted by the various organizations governing their respective sports.

DR. RAYCROFT: In the case of the college dealing with all sports.

THE CHAIRMAN: It is all right. I am heartily in favor of that. I hope the Amateur Athletic Union will vote for it. I do not see why it should not.

JUDGE WEEKS: I do not see any reason why I should not.

THE CHAIRMAN: Gentlemen, are you in favor of passing this recommendation? If so, signify by saying aye, contrary minded no.

The same is unanimously carried.

Now, inasmuch as there is nothing specific in this and the penalties touching naturally follow, the only matter left is the pardoning clause.

JUDGE WEEKS: Now, Mr. Chairman, I move you the approval of the clause in the pardoning power, as printed, with these additions: "Or when the act was committed in a sport in which there was at such time no general competition by amateurs, or where the act was made obligatory by the order of a military authority." I don't like governmental authority. That would enable the Bureau of Printing to order their men to go out and do something.

THE CHAIRMAN: Gentlemen, you heard the motion. All those in favor, signify by saying aye; contrary minded no. It seems to be and is unanimously carried.

JUDGE WEEKS: Now, I want to add somewhere in this symposium a very short provision:

"These rules shall not apply to shooting, either with revolver, rifle or shotgun."

DR. SAYRE: I might speak to that motion, Mr. Chairman, saying that as far as we are concerned in this country, it don't make any very great difference one way or the other, but I can foresee a great deal of trouble in future International contests, unless we pass some such motion as this, because these three branches of sport stand on such a very different basis from all the others, that almost without exception the prizes are money prizes which the men contest for. They generally are the gate receipts, divided according to certain regulations, where different organizations have made such a certain percentage—what is deducted for running the targets and paying the markers and scorers. They take twenty-five per cent. of the entrance fees to pay for the marking and scoring, and the remaining seventy-five per cent. is divided among the contestants according to certain well laid down rules in a great many games, and unless some such motion as Judge Weeks has suggested, is put forward, by and by I can see nobody will be allowed to take part in an Olympic competition unless he comes under these definitions which we have been speaking about this afternoon, and it is going to make it extremely difficult for us, and I think would handicap us very materially in competing with other nations, unless something or other of that sort is

done. The shooters all over the world stand on exactly the same plane and we will simply handicap ourselves if we do not do something of this sort.

JUDGE WEEKS: I want to amend my own amendment, if I may, by inserting before the word "shooting", "bowling or". These rules shall not apply to "bowling or shooting." Because we all know what the situation is in regard to bowling competition.

THE CHAIRMAN: Gentlemen, you have heard the resolution. (The motion was duly seconded.)

JUDGE WEEKS: I do not think there is any other sport that we need to exempt, do you, Mr. Chairman?

THE CHAIRMAN: I do not.

JUDGE WEEKS: We are fairly in line with the billiard situation and recognize the situation in soccer football, covered by their present condition, which is harmonious with their condition in England, which we hope will improve so we will have a better line drawn between the amateur and professional in this country, even than they have in England.

THE CHAIRMAN: The question is called for. All those in favor signify by saying aye; contrary minded, no.

The motion is carried.

Gentlemen, before we adjourn, may I ask the opinion of those delegates still remaining present, of the advisability of there being another conference on these matters, and if so, when such conference shall be held.

JUDGE WEEKS: Mr. Chairman, I would like to move you, sir, as an expression of the views I think of everyone who has attended either of the meetings, the very great thanks that are due to the Intercollegiate Association for gathering together these representatives of various branches of sport in this country, and in that connection I suggest that it would be a most gracious act if the Intercollegiate Association could arrange a similar conference next year.

DR. SAYRE: I second that motion.

THE CHAIRMAN: Gentlemen, it is moved that it is the sense of this meeting that the Intercollegiate Association call a second conference, at a time to be set, but at about the same time in

1916 as the conference of this year. All of those in favor will signify by saying aye, contrary minded no. The ayes have it and I am confident that the meeting will be so called.

There is just one other matter for your information, and that is that the Intercollegiate Association has gone to some considerable expense in arranging for these proceedings to be printed, feeling that this matter is one of real vital importance to amateur athletics throughout this country. We have had a thousand copies of the proceedings of Monday printed and there will be a thousand copies of the proceedings of to-day printed, and if any of the organizations here present desire to have copies sent to them, if they will leave their names or send their names and addresses to the Secretary, Mr. Stroud of New York University, he will be pleased to comply with any demands that may be made.

JUDGE WEEKS: I want to say the Amateur Athletic Union feels that the report of the proceedings of these two days is of such importance, we would esteem it a very great favor if we can have sufficient copies of the report so that one may be sent to every delegate, every member of the Board of Governors of the Amateur Athletic Union, and in that way it will be all over the United States, and I think if we can get more copies we will be glad to send them to the most representative men in the large athletic clubs throughout the country.

THE CHAIRMAN: They will be available for that purpose. Now, gentlemen, is there any further business?

(It was moved and seconded that the meeting adjourn and so carried.)

THE CHAIRMAN: The meeting stands adjourned.

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